Development Control – Delegated Officer Report

Application Number: AWDM/1439/15 Recommendation – APPROVE

Site: 32 - 34 Kingston Broadway Shoreham-By-Sea West Sussex

Proposal: Change of use from Use Classes A3 and A5 restaurant/takeaway to Use Class D1 veterinary surgery with associated alterations to shopfronts.

Date of site visit: 30.10.2015

Neighbours checked: Y

Additional neighbour notifications: Y – Additional Details (14 days)

Proposal, Site and Surroundings

The application relates to a double unit on the ground-floor of a 3-storey block dating from the mid-C20 consisting of commercial retail premises with residential flats above. The double unit has been in use for many years as a Chinese restaurant and takeaway (Class A3/A5). The rear of the premises opens onto an enclosed yard with garaging accessed from a rear service road.

Permission is sought for a change of use to a veterinary surgery with associated elevation alterations including a replacement shopfront and air conditioning unit on the rear elevation. The submitted drawings show internal alterations to self-contain the upper floor flats 32A and 34A. The existing rear access stairs from the flats into the rear yard would be retained. [Both flats already have direct access from the street at the front.] The existing extraction duct on the rear elevation is shown as being removed.

Consultations:

WSCC: The Highway Authority has raised no objection in highway safety or capacity terms.

Adur and Worthing Councils: The EHO has no objection.

Representations: None received.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AS5
National Planning Policy Framework (CLG 2012).
National Planning Practice Guidance (CLG)

Planning Assessment

Principle

The site is located within a designated shopping parade subject to saved policy AS5 which seeks to resist the loss of Class A1 uses. It states that changes to non-retail uses will not normally be permitted and that such proposals will be treated on their merits and assessed in relation to the need for the proposed use compared to the retail use of the premises concerned.

The application is accompanied by a letter from a commercial estate agent stating that the premises has been widely marketed since January 2013 with no substantive offer on the freehold other than from the current applicant.

The site is located close to large scale shopping facilities based at Holmbush shopping centre and this local parade currently provides for very localised services (such as a newsagents and hairdressers/barbers) as well as accommodating specialist outlets (i.e. Raleigh bikes) rather than meeting the day-to-day convenience needs of local residents. The current proposal will not result in the loss of a retail use, the current restaurant and takeaway having been in operation for many years. The proposed veterinary surgery will be open during daytime hours Monday to Friday (08.30 – 19.00) and on Saturday mornings (08.30 – 13.00), generating activity and additional foot-fall that will enhance the vitality of the shopping parade. However, other uses falling within the D1 Use Class would likely generate different activity and consequently it is considered reasonable to impose a condition restricting the use to a veterinary surgery.

Visual amenity

The existing shop frontage is split into 2 with one half serving the takeaway and the other laid out as a restaurant behind a feature brick shopfront. A large fascia spans both elements. Overall, the building has a tired appearance and is in need of decoration.

It is proposed to install a new, predominantly glazed, powder-coated aluminium shopfront above a shallow staller-riser. The central pilaster would be retained with each window bay on either site vertically sub-divided into three parts. There would be one pair of entrance doors to the LHS within one of the sub-divisions. The simple, unfussy replacement modern shopfront would improve the overall appearance of the shop unit.

Residential amenity

Activity and noise associated with the proposed use as a veterinary surgery has the potential to cause disturbance to the occupiers of the first-floor flats above this parade, although this must be weighed against the current restaurant/takeaway use.

Although the existing operation is primarily an evening use the fact that there is currently an internal link between the ground-floor commercial units and the lobby areas to the flats above suggests that the flats (32A and 34A) are occupied by the restaurant/takeaway operator and/or staff members. The

submitted drawings show the flats will become self-contained from the commercial premises and will likely be occupied independently of it in the future.

There is no objection to the proposed hours of operation in this location facing onto a busy road to the south (A270), closing at 19.00 hrs on a weekday and 13.00 hrs on a Saturday. The applicant has confirmed that no animals will be kept on the premises overnight.

The external rear yard will provide access to the practice for staff, accept deliveries and provide storage space (within the existing outbuilding). It will also be used as a monitored external space for dogs being treated at the practice. No pens or runs or other animal enclosures are shown within the yard and it is considered dogs left unaccompanied in the yard could be a source of noise resulting in disturbance for nearby residents. On the other hand it is considered reasonable to allow the yard to be use to exercise dogs being treated on the premises provided they are in the company of a handler. The applicant has confirmed in writing the yard would be used infrequently for this purpose and would always be accompanied and on a lead.

Amended drawings have been provided showing the siting of an air conditioning unit to the rear of the premises. The EHO has raised no objection based on the technical details (including noise emissions) provided. The applicant has confirmed that the plant room will purely house a washing machine, tumble-drier and water heater.

Highway safety and parking

It is anticipated that there would be up to 5 full-time equivalent staff members, initially with 1 veterinary surgeon (but potentially an additional veterinary surgeon in the future if the business is successful). Appointments would be made every 15 minutes (reducing to 10 minutes as the business picks up) during morning and afternoon consultation periods. Late morning and middle of the day would be set aside for surgery/dental with a similar session at the end of the day to include discharge of patients.

There are 2 garages at the rear accessed from the rear service road that runs to the south of 64 Hawkins Road. These would be made available for staff parking. There is a lay-by with parking in Kingston Broadway in front of the shopping parade and continuing westwards in front of Wadurs swimming pool. Parking in the lay-by is restricted (1 hour no return) and enforceable. There are double yellow lines at the junction of Kingston Broadway with Hawkins Road but no restrictions in place further north along Hawkins Road and it was noted by the Case Officer on site that this road is heavily parked with vehicles. However, short-term parking provision with the nearby lay-bys would likely accommodate the demand generated by customers attending appointments and dropping off/collecting animals and no objection has been raised by the Highway Authority based on the details provided.

Recommendation

APPROVE

Subject to Conditions:-

1. Standard time limit
2. Approved plans
3. Agree colour and external finishes of replacement shopfront
4. Making good in matching materials
5. No external plant other than as shown on approved drawings and in accordance with the submitted technical details
6. Notwithstanding the provisions of the Use Class Order 1987 and GPDO 2015 the premises shall only be used as a veterinary practice and no other use within Class D1.
7. No cages, runs or other animal enclosures shall be erected in the rear yard unless in an application on that behalf.
8. No animals to be kept on the premises overnight
9. Hours of opening 08.30-19.00 Monday to Friday and 8.30-13.00 Saturday
10. Agree and implement cycle parking

Informative

1. Proactive Statement – No Amendments

Is recommendation contrary to letter(s) of representation? N

Case Officer: Jo Morin Date: 24.11.2015

Authorised by: Gary Peck Date: 26 November 2015