Development Control – Delegated Officer Report

Application Number: AWDM/0725/17 Recommendation – APPROVE

Site: 61 North Road, Lancing, BN15 9AS

Proposal: Change of use from Use Class A1 (shop) to mixed Use Class A1, Use Class A3 (café), and pottery painting with replacement shopfront and windows on ground floor (north) elevation.

Date of site visit: 06.06.2017

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application related to a vacant, ground-floor retail unit. The shop unit is a 2 storey middle of terrace building within the central shopping area of Lancing. There is a parking layby outside the shop, and the railway station is to the south of the site. The first floor of the unit appears residential, and there is a separate door to the side of the shop unit which is the access to the first floor.

At the time of the site visit, it was noticed that the unit at the north of this terrace is vacant; the shop next to that, no. 63, is being used as nail care; the application site was a vacant unit; and the final shop of this group is a fish and chip shop. There is a mixed use of units within the shopping street, with Supermarket, carpet sales, post office, and charity shops. (Subsequent to the site visit, the use as proposed has now been undertaken).

The site is within the main shopping area of Lancing

Proposal

Permission is sought for a change of use from Use Class A1 (retail) to a mixed use of A1 (retail); A3 (café) and pottery making, painting and firing.

The front of the shop (34.13 square metres) is shown to be used for pottery painting, with a small kitchenette measuring approx. 900mm x 1.5m positioned under the stairs to allow for teas and coffees to be prepared with locally bought/sourced cakes and snacks available for purchase for consumption in the room.

The middle of the shop (12.72 square metres) is shown to be used for pottery throwing.

The rear of the shop (10.03 square metres) is indicated as being a kiln room. There will be 3 no. kilns not accessible to the public. The Agent has confirmed that they will be electric kilns.

The aluminium shopfront (including door) on the front elevation (east), and the PVCu windows on the north elevation, have already been changed and therefore this part of the application is retrospective.

Relevant History

AWDM/0770/14 Change of use from Use Class A1 (retail) to Estate Agents (A2) Refused 29.07.2014

AWDM/1156/14 Change of use from Use Class A1 (retail) to Use Class A2 (financial and professional) Approved 01.10.2014. Not implemented.

Consultations:

WSCC:

No objection:

The proposal to change the use of the A1 shop to mixed use class A1 with A3 pottery painting has been considered by WSCC as the Local Highway Authority. No objection is raised subject to any conditions attached.

The shop is located on North Road a 30mph street in the centre of Lancing. The road has shops of varying uses either side and there is a parking lay-by all along one side of the street. Car parks are within walking distance providing a range of parking options. There are also bus stops, a train station and places to lock up a bicycle which make the site even more sustainable.

A footpath runs the entire length of North Road, and many visitors will be on foot due to its central shopping location. As such WSCC do not consider this proposal to be detrimental to highway safety or capacity and raise no objection.

Should the applicant need to use a skip a license can be obtained from the local highway office if this needs to be kept outside on the highway.

Temporary Works Required During Construction
The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

Environmental Health:

The mixed use looks low key. I am assuming they will use an electric kiln at the rear?
I would recommend conditioning the hours of use.

Planning Policy:

No policy objection - The site lies within the primary shopping frontage in Lancing town centre where Policy 9 is relevant. It states that, at ground floor level, A1 uses are acceptable. A3/A4 uses are also acceptable where a long term vacancy (a minimum of 1 year) and reasonable attempts have been proposed to this Policy to include appropriate D1 uses (currently out for consultation).

Given that the site appears to have been marketed for a number of years (presumably for A1use), the proposed change of use complies with Policy 9

Representations:

Lancing Parish Council: No objection

Relevant Planning Policies

Saved Local Plan policies (ADC 1996): AG1, AH7, AS1, AE5, AE6
Submission Adur Local Plan 2016: Policies 9, 15
National Planning Policy Framework (CLG 2012)
National Planning Practice Guidance

Planning Assessment

Principle of Proposed Use

The proposal use, comprising pottery throwing/making and painting of the fired items with an ancillary café, does not fit neatly into any Use Class but is essentially a hybrid use with elements of retail (Class A1) and food and drink (Class A3). Policy 9 of the Submission Local Plan seeks to strengthen the shopping area along North Road by restricting non-retail uses. It states that within the primary frontage acceptable ground-floor uses will comprise Class A1 (shops). Class A3 (café/restaurant) and A4 (drinking establishment) uses will be considered whether there has been a long period of vacancy and reasonable attempts have been made to let the premises for A1 use. In this case, the shop unit has been vacant for well over 1 year and the proposed hybrid use can be supported in accordance with policy 9.

The proposed use will broaden the offer of the shopping centre and enhance vitality. The pottery painting activity will be visible through the shop window which may attract people and add life and interest to the shopping street.

The opportunity to offer coffee and cake will also make the use more attractive but it would be prudent to attach a condition to prevent food and drink/café use becoming the primary use.

Visual Amenity

The application seeks to regularize the aluminium framed shop window and door on the front street elevation, and the PVCu windows on the side (north) elevation.

The sub-divided proportions of the shopfront are similar to the former shopfront, but without the central mullion.. The loss of the former shopfront with its more elegant framing and traditional materials is a shame. However, given the typically modern character of other shopfronts in this shopping street it would be difficult to argue the appearance of the new shopfront is out-of-keeping.

Residential Amenity

The proposed hours of use are shown on the application forms as being 09.00 and 21.00 hrs on Monday to Saturday and between 11.00 and 17.00 on Sundays and Bank Holidays. Although the proposed use would operate outside normal shop opening hours, there are other takeaway and restaurant outlets along North Road that operate later into the evening. The proposed use would broaden the early evening offer in the town centre and subject to control of the proposed hours as stipulated would be unlikely to give rise to any significant noise or disturbance for the occupier of the residential flat above.

Recommendation

APPROVE subject to conditions

1. Approved plans
2. Standard time limit
3. No primary cooking on the premises
4. Hours of operation 0900-2100 Mon-Fri; 0900-2100 Sat; 1100-1700 Sun,BH
5. No selling food for consumption off premises
6. Premises shall only be used for the making and painting of pottery items, plus retail sales with ancillary café and not for any other use or purpose.

Informative

1. Approved following amendment
2. This permission does not purport to grant consent for the advertisement shown on the approved plans which may require advertisement consent on their own behalf.

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

Case Officer: Eve Hearsey Date: 25.08.2017

Authorised by: Jo Morin Date: 29.08.2017