

MC/13/2864

Date Received: 11 November, 2013

Location: 59-61 High Street, Rochester, ME1 1LX

Proposal: Change of use from Florist (A1 use) to mixed class coffee shop (A1/A3 use)

Applicant: Goldex Investments Ltd

Agent: Mr M Philips Architecture Design Limited The Joiners Shop The Historic Dockyard Chatham Kent ME4 4TZ

Ward Rochester West

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 29 January 2014.

Recommendation - Approval with Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing number 8.8/4.01, 8.8/A.02, 8.8/A.03, 8.8/A.04, 8.8/A.05 & 8.8/A.07 received 11 November 2013 & 8.8/A.06 received 3 January 2014

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The use hereby permitted shall only operate between the hours of 06:30 to 18:30 Mondays to Fridays inclusive and between the hours of 07:00 to 18:30 on Saturdays and 08:00 to 17:00 on Sundays and, Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To regulate and control the permitted development in the interests of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 4 No goods shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart, within the application site outside the hours 07:00 to 19:00 Monday to Friday, 08:00 to 18:00 Saturday or at any time on Sunday or Bank Holidays.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 of the Medway Local Plan 2003.

For the reasons for this recommendation for approval please see planning appraisal section and conclusion at the end of this report

Proposal

The submitted application proposes the change of use from Florist (A1 use) to mixed use of florist and coffee shop (A1/A3 use)

The proposed hours of operation would be 06:30 to 18:30 Monday to Friday 07:00 to 18:30 Saturday and 08:00 to 17:00 Sunday and bank holidays.

Relevant Planning History

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| MC/13/2921 | Advertisement consent for the installation of two non-illuminated fascia signs; 1 externally illuminated hanging sign and one internally hang internally illuminated sign
Also on this agenda |
| 87/709 | Proposed new shop
Approved 8 September 1987 |
| 87/425 | Proposed alterations and change of use of, existing building to form six self-contained, flats together with two storey extension (also, 59-61 Northgate),
Approved 30 June 1987 |

Representations

The application has been advertised on site and by individual neighbour notifications to the owners and occupiers of neighbouring properties.

61 letters (from different people), **two on line petitions** (with a total of 955 signatures) and another **paper petition** that contains 165 Signatures. raising the following concerns:

- Impact on neighbouring independent business
- The introduction of a costa coffee would damage the historic character of Rochester

The City Of Rochester Society also object to the application reiterating the above concerns and adding that the proposal would erode the special retail character of the area and thereby impact on the vitality of the City Centre.

One letter of support has been received

Development Plan Policies

The Development Plan for the area comprises the Medway Local Plan 2003. The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework, 2012 and are considered to conform.

Planning Appraisal

Principle

The site is located on Rochester High Street. The High Street is predominantly a specialist and tourist related centre with A1, A2 and A3 units many of which are independently operated. The type of development proposed is considered appropriate in this location, meeting the sequential test as set out in policy R13 of the Medway Local Plan 2003 and paragraph 24 of the National Planning Policy Framework (NPPF).

Policy R8 of the Medway Local Plan 2003 relates specifically to retailing in Rochester. The application site is located within the core retail area as defined in the aforementioned policy. This policy states “use classes A1, A2 & A3 and other uses appropriate to the form of the centre, will be permitted where they support the vitality and viability of the centre as a whole”.

A land use survey has been carried out of Rochester which shows that at present 48.8% of the centre comprises A1 uses; 11.5% is within A2 use class, and 11.5% A3. According to the survey almost 72% of the units within the high street are solely A1, A2 and/or A3 use which complies with and is in support of policy R8 of the Medway Local Plan 2003. The proposal will still retain an A1 use and the change to a mixed use should enable the retail part to be retained long term.

This application also satisfies the parameters set out in policy R17 of the Medway Local Plan, which states that a change of use from A1 to A2, or A3 at ground floor level will be permitted where it would not have a detrimental effect on the character and retail function of the centre or visual amenity. Para 23 of the NPPF stipulates that planning policies should promote competitive town centre environments; recognising town centres are at the heart of their communities and supporting their vitality and viability. Town centres should provide customer choice and a diverse retail offer, reflecting the individuality of town centres.

Allegra Strategies Research and Analysis (2010) has shown that coffee shops contribute significantly to the local vitality and in some cases, act as a catalyst for the area. In this instance, it is unlikely that this application will act as a catalyst, as the area is thriving and has few vacant units. However, the study suggests that consumers stay longer in areas with branded coffee shops, making it more likely for them to become aware of local retailers and businesses and spend more money with them. Branded coffee chains attract consumers to new areas they may not otherwise frequent. According to the study, strong quality independents can perform very well among nearby branded chains as they offer consumers a different experience.

The development is considered an appropriate use in a town centre, and may result in an increase in footfall which would be advantageous to the other businesses in the area and surrounding areas. With regard to employment, the change of use proposes an increase from two to eight full time employees.

In conclusion to this section it is considered that the proposal will not negatively impact on the viability and vitality of the Centre (quite the contrary) and as such complies with Policies R8, R13 and R17 of the Medway Local Plan 2003 and the NPPF.

Design

Other than the proposed advertisements, there are no external changes to the building. There are some internal changes but these will be assessed as part of a Listed Building application.

Amenity

The current use of the building as a florist, an A1 use, is such that there is already a degree of disturbance experienced by occupiers of residential flats above the shops due to deliveries and customers of the existing shop. This level of disturbance is not unusual in this type of location. The siting of a coffee shop in this location is unlikely to give rise to noise and other disturbance beyond that already experienced in the area. The hours of operation proposed are considered acceptable and will be controlled by condition. The hours of operation would be 06:30 to 18:30 Monday to Friday 07:00 to 18:30 Saturday and 08:00 to 17:00 Sunday and bank holidays. A condition is recommended to prohibit deliveries on Sundays and Bank Holidays, and any other days (Monday – Saturday) prior to 07:00 or after 18:30, in order to protect residential amenity in the area.

The submitted application does not make provision for the preparation of food on site and therefore no extraction system is proposed. In the future however, if this were to occur then a means of extraction would be necessary which would require an application and as such its impact on neighbouring amenity would be assessed then. The proposal is therefore in accordance with Policy BNE2 of the Medway Local Plan 2003.

Highways

The application site is within a core retail area. Given that the previous A1 use would have generated traffic in terms of deliveries and customers and the proposal is unlikely to result in an unacceptable increase in the level of traffic beyond that already experienced, no objection is raised in relation to the impact of development on the area. The application therefore accords with policy T1 of the Medway Local Plan. There are public car parks serving the Town Centre in close proximity to the subject site, and so no objection would be raised in relation to policy T13 of the Medway Local Plan.

Conclusions and Reasons for Approval

It is considered that the proposal will enable the retention of a retail use on site and will not impact unacceptably on the vitality and viability of the City Centre. There will also be no unacceptable impact on the amenities of the area. The application therefore accords with the above mentioned Policies and is recommended for approval.

The application would normally be determined under delegated powers but is being referred to Committee for determination due to the extent of representations received expressing a view contrary to the recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://planning.medway.gov.uk/dconline/AcolNetCGI.gov>