MC/14/0781

Date Received: 24 March, 2014

Location: 42 Silverweed Road, Weeds Wood, Chatham, ME5 0QX

Proposal: Sub-division of the existing laundrette (a sui-generis use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)) (the Use Classes Order) to provide a second smaller planning unit of 13.2 Sq.m to be used as a barbers (a Class A1 General Retail Use as defined by the Use Classes Order)

Applicant: Mrs Moreea

Agent: Mr A Purcell A.N.Purcell 23 Holly Road Wainscott Rochester Kent ME2 4LG

Ward Walderslade

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 18 June 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:

Design and access statement dated March 2014; Drawings SILLWDRD42/001; 002; and 003 received by this authority on 24 March 2014

Reason: For the avoidance of doubt and in the interests of proper planning.
For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This application seek Planning Permission for the sub-division of the existing launderette (a sui-generis use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)) (the Use Classes Order) to provide a second smaller planning unit of 13.2 Sq.m that will be used as a barbers shop (a Class A1 General Retail Use as defined by the Use Classes Order). The proposed use would utilise a vacant part of the floor area of the current launderette use which is an area located to the front of the existing premises. The floor area would be partitioned off to enable the new planning unit to be independently operated from the launderette. The new planning unit would be a general retail unit (a Class A1 use), whilst the remaining area of the launderette 78.5 Sq. m would still have a sui-generis status.

The existing frontage already has the benefit of two separate entrance doors, thus enabling one of them to be used solely for the proposed general retail use. The sub-division will be to the front, northern side part of the shop with separate entrance doorway on the right hand side of the existing shopfront. As a self contained A1 use the new planning unit will have its own W.C and hand wash basin.

There will be no material alterations to the existing shopfront so the general appearance of the shop unit will remain unchanged

Relevant Planning History

Although there is planning history related to other units in this local shopping centre there is no recent history related to the application premises.

Representations

Neighbour notification letters have been sent to adjacent owner occupiers:-

Three letters of representation have been received objecting to the proposal on the following grounds:-

- adverse impact on existing hair salon business in Yarrow Road through competition that would have an adverse impact of staffing levels
- loss of livelihood through increase of many salons and mobile hairdressing uses in general
- a new hairdressing facility would adversely affect the hardworking people in a nearby salon in Yarrow Road.

A petition containing 199 signatures has been submitted objecting to the proposal as there is already a unisex salon known as Virgo Hair and Beauty trading at 29 Yarrow road since 1963. There is not enough passing trade for an extra barbers in the same area and this is endorsed by the signatures of the petition.
Officer Comment

Members will be aware that the Government is clear that competition between similar businesses is not a planning consideration. This matter is covered in more detail in the planning considerations.

Development Plan

The Development plan for the area comprises the Medway Local Plan 2003 (the local plan). 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

Main Issues

This main planning consideration related to this application are whether the proposed development has any resultant adverse impact on: the local neighbourhood centre; the street scene; neighbouring amenity; or highways.

Principle

The site comprises a shop premises within the Local Shopping Centre situated in Silverweed Road. There are independent self-contained residential flats above this shopping parade, with access to the flats via a rear staircase located to the northern side of this parade. A hot food take away exists to the southern side of the parade and the remainder of the shop units comprises predominantly general retail (Class A1) uses, although there is also the launderette (the application site), a community facility and a cafe (Class A3 use) within or in close proximity to this Local Shopping Centre. The application site has been used as a launderette for a number of years and contains a number of commercial washing machines available for public use, together with a number of large driers. Until recently, a dry cleaning service were also provided at the front part of the shop, as part of the launderette service, but this area is now vacant and is the subject of this application for change of use.

Policy R10 of the Medway Local Plan 2003 (the Local Plan) seeks to protect Local Shopping Centres by preventing the loss of existing shopping facilities, especially those uses falling with in the 'A' classes to the Use Classes Order (i.e Class A1 (General Retail), Class A2 (Financial and Professional Services), Class A3 (Cafes / restaurants), Class A4 (Public Houses) and Class A5 (Hot Food Takeaways)). The proposed sub-division of the existing launderette to form a smaller A1 retail unit would compliment the existing shops in the parade of predominantly retail units and would not result in a development that conflicts with Policy R10 of the Local Plan. This being the case the development is considered to be acceptable in principle, subject to matters of design, amenity and highways as discussed below.
Design
The proposed works would not involve any material changes to the frontage of the property and would utilise an existing entrance doorway onto the site from the highway (the premises are currently served by two doors incorporated into the shop frontage. Accordingly no objection is raised on design grounds. The proposed use as a retail unit would compliment the existing shops in the parade of predominantly retail units served in addition by a small community facility and a cafe.

The development would be considered to comply with the objectives of Policy BNE1, Policy R9 and Policy BNE10 of the Local plan.

Amenity
The proposed use by virtue of the nature of the existing use, the works proposed and levels of activity would not have any adverse impact on neighbouring amenity to either the self contained flats above the site or surrounding users or businesses. The proposal is therefore considered to comply with Policies BNE2 of the Local Plan.

Highways
There are no highway implications resulting from this proposal. A communal car park serves the local shopping centre for causal visitors and there is ample on street parking available in the locality. The small scale nature of the proposal will not create any material demand to the existing use and there would be not significant additional harm caused by the use.

Therefore no objection is raised on highways grounds and the proposal would comply with the objectives of policy T1 and T13 of the local Plan.

Other matters
The Council's Environmental Protection Section has advise that the area of the premises proposed for use as a barbers formerly housed a dry cleaning machine. The dry cleaning activity was permitted by the Local Authority under the Environmental Permitting (England and Wales) Regulations 2010 (as amended). In reality, the machine was rarely used by the operator. It is proposed that the remainder of the premises continues to be used as a launderette and as such, in addition to the non-sensitive end use of the proposed development, the Environmental Protection Section of the Council has confirmed that it has no objections to this application.

In terms of the representations received these object to the development primarily on the grounds of competition. This is not a material consideration and cannot be taken into account in the determination of this application. Whilst it is a clear concern of local businesses and some local residents, the application cannot be refused on this ground, as it would be contrary to Government advice.
Local Finance Considerations

There are no local finance considerations.

Conclusions and Reasons for Approval

The sub-division of this existing unit to create a smaller self contained planning unit to be used as a general retail unit (a class A1 use) is considered to accord with Policies R10, BNE1, BNE2, T1, and T13 of the adopted Local Plan and is therefore recommended for approval.

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/donline/AcolNetCGI.gov