

MC/19/1474

Date Received: 6 June 2019

Location: 24 High Street Brompton Gillingham Medway

Proposal: Change of use from retail shop to dog groomers and doggy day crèche

Applicant Your dog grooming Ltd,  
Mr Denis Lambret

Ward: River Ward

Case Officer: Madeline Mead

Contact Number: 01634 331700

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 21st August 2019.**

### **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:  
  
Proposed layout floor plan received on 27 June 2019 and proposed layout floor plan for basement received on 9 July 2019.  
  
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 The dog grooming on the ground floor and hereby permitted shall only operate between the hours of 08:00 to 18:00 Monday to Saturday (inclusive) and at no time on Sunday and Public Holidays. The dog day crèche on the basement level hereby

permitted shall only operate between the hours of 08:30 to 17:30 Tuesday to Saturday (inclusive) and at no time on Sunday and Public 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 Conclusions at the end of this report**

## **Proposal**

The application proposes the change of use of the building from retail (class A1) to a dog groomers and dog day care facility (Sui Generis). It is proposed for the dog grooming to be run from the ground level and the dog day care (crèche) would be located at basement level.

It is proposed that three full time and one part time staff will be employed, with opening hours of 08:00 to 18:00 Monday to Saturday (inclusive) for the dog grooming and the dog day care facility operating between the hours of 08:30 to 17:30 Tuesday to Saturday (inclusive).

No external alterations are proposed to the building.

## **Representations**

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

**Four** letters of objection have been received, with the following comments:

- There is already a well-established dog groomer in this small high street. Another use would be more beneficial to local residents.
- No outside space for the dog toilet associated with the crèche facility.

**Nine** letters of support have been received supporting the use of the building for dog grooming and day crèche.

## **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 2019 and are considered to conform.

## **Planning Appraisal**

### *Principle*

The application site relates to a building which lies within the Brompton Lines Conservation Area (CA) but it is not listed and has no article 4 direction attached to it. The building is within a Local Shopping Centre and therefore policy R10 of the Local Plan is relevant. Policy R10 aims to resist the loss of existing shopping facilities, including retail, service and food and drink uses (Classes A1, A2 and A3) will not be permitted unless an improvement to local amenity or the provision of community facilities occurs that outweighs the loss. Paragraph 80 of the National Planning Policy Framework emphasises that planning decisions should help to create the conditions in which businesses can invest, expand and adapt and that significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs.

Although the proposed sui generis use would conflict with the aim of Policy R10, it is considered that a good mix of uses within Classes A1, A2 and A3 would be retained within this Local Shopping Centre. The use would also bring back into use a building that has been empty for approx. 8-9 months. Overall, it is considered that the principal of the use is acceptable with regard to Policy R10 of the Local Plan and paragraphs 11d and 80 of the NPPF.

### *Design*

There are no proposed alterations to the external appearance of the building and the proposal is therefore in accordance with Policy BNE1 and BNE12 of the Local Plan and paragraphs 124 and 127 of the NPPF.

### *Amenity*

This application for change of use from A1 to sui generis would have no detrimental impact on neighbouring amenities over and above the current use of the premises as a retail unit. The hours of operation are proposed to be 08:00 to 18:00 Monday to Saturday (inclusive) for the dog grooming (at ground floor level) and between the hours of 08:30 to 17:30 Tuesday to Saturday (inclusive) for the dog day care facility (at basement level). It is not considered that the use and operational hours proposed would generate significant noise or traffic that would be detrimental to neighbouring amenities. As there are no internal or external alterations, there would be no detrimental impacts in terms of loss of outlook, privacy, sunlight or daylight. The proposal would not result in any loss of amenity for neighbouring properties and therefore accords with Policy BNE2 of the Local Plan and paragraphs 127f and 180 of the NPPF.

### *Highways*

It is not considered that a change of use would result in a detrimental impact with regard to highway matters. The premises is served by on street parking spaces and is also

located in an area that is well served by public transport to provide an alternative option to car use and is in close proximity to residential areas. The proposal is in accordance with Policy T1 of the Local Plan and paragraphs 108 and 109 of the NPPF.

### **Conclusions and Reasons for Approval**

The proposal is considered acceptable in principle and respects the character and appearance of the existing property, streetscene and Conservation Area, it would not detrimentally impact neighbouring amenities or highways. The proposal is in accordance with Policies BNE1, BNE2, BNE12, R10 and T1 of the Local Plan and paragraphs 11d, 80, 108, 109, 124, 127, 127f and 180 of the NPPF.

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

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### **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://publicaccess1.medway.gov.uk/online-applications/>