

DC/2015/00771

CHANGE OF USE FROM USE CLASS A1 TO A3

WESLEY BUILDINGS, NEWPORT ROAD, CALDICOT

RECOMMENDATION: APPROVE

Case Officer: Prospero

Registered: 30.06.2015

1.0 APPLICATION DETAILS

- 1.1 The premises (Unit 2 Wesley Buildings) are within a Primary Shopping Frontage in the Central Shopping Area (CSA) of Caldicot and as such Policy RET1 and RET2 of the Local Development Plan would apply. This application is seeking full planning permission for a change of use from an A1 retail shop to A3 uses. No external alteration is proposed.
- 1.2 The premises are well served by local bus services and there are several bus stops located within easy walking/cycling distance to and from the site. There are off street parking provision at the back of the premises for deliveries and staff parking. In addition, there is public car parking provision within close proximity of the premises.

2.0 RELEVANT PLANNING HISTORY

Unit 7 Wesley Buildings - DC/2014/00661 – Change of use A1 to A3 - approved 2014

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S6 – Retail Hierarchy

Development Management Policies

RET1 – Primary Shopping Frontage

RET2 – Central Shopping Area

4.0 REPRESENTATIONS

4.1 Consultation Responses

Caldicot Town Council – recommends refusal – too many take-aways in town centre.

Gwent Police –The Designing Out Crime Unit have no comment to make on this application.

Welsh Water – No objection

SEWBREC Search Results – No significant ecological record identified

4.2 Neighbour Consultation Responses

One online objection received: There are enough food premises already in the area.

5.0 EVALUATION

5.1 Principle of the proposed change of use

The Council's Development Plans team was consulted in respect of this application. It is advised that the site is an A1 retail outlet within a Primary Shopping Frontage in the Central Shopping Area (CSA) of Caldicot and therefore Policy RET1 of the Local Development Plan would apply.

Under criterion a) of policy RET1, Primary Shopping frontages, a change of use from an A1 to an A3 use will be permitted unless it creates or further extends a continuous frontage exceeding two or more non-A1 units. In this instance the premises in question is located at the end of the frontage with two A1 uses next to it, a change of use to A3 at this location would therefore not be contrary to criterion a) of the policy. Under criterion b) of the policy a change of use will be permitted providing it does not result in the loss of an A1 retail unit in a prominent location, a corner unit or a unit with a long frontage. In this instance, whilst located on a corner in the primary shopping frontage the unit is not prominent and with a frontage of some 6m is average for this location. A change of use to A3 at this location would therefore not be contrary to criterion b) of the policy.

Under criterion c) of the policy such a change of use would be permitted unless the number, frontage lengths and distribution of Class A2 or A3 uses in the primary shopping frontage create an over-concentration of such uses detracting from its established retail character. The Draft Primary Shopping frontage Supplementary Planning Guidance, although not adopted as yet, provides a background for the interpretation of this criterion. Percentage figures are provided for the maximum proportion of non-retail (A2/A3) uses that the Council considers appropriate in each of the centres' primary shopping frontages. For Caldicot this figure is given as 35%, this level broadly reflects the historical and current level of non-retail uses within this primary shopping frontage and the Council's desire to prevent further erosion of retail uses beyond this level. It is considered that a higher level of non-retail uses would be likely to dilute the established important local shopping role and character of the frontage and undermine the vitality and viability of the centre. If this unit were to undergo a change of use to A3 the proportion of non-A1 uses would increase to 37%, taking it above the maximum proportion considered appropriate. Careful consideration of this increase is therefore necessary.

The initial submission provided no evidence to demonstrate the extent of marketing undertaken to secure a retail occupier. The Draft Primary Shopping Frontage Supplementary Planning Guidance states that marketing and advertising should

normally be for a minimum of 12 months and be of a nature that is likely to reach potentially interested occupiers.

Following a request for such information, the agents have provided details from ETP property consultants who have been marketing the unit for approximately two and half years, alongside EJ Hales (Cardiff). This information clearly outlines the lack of interest the unit has attracted and why an alternative use should be supported.

In the supporting text to the policy it states that particular consideration will be given to assessing proposals for A3 uses within primary shopping frontages as whilst it is recognised that cafes and restaurants can complement retail uses, hot food take-away premises that are closed during the day make a limited contribution to the vitality of the centre. The application does not state the type of A3 use proposed in this instance but it is noted that this unit has been vacant for at least two years which will also impact on the vitality of the centre. In addition, restaurants, snack bars, cafes and hot food takeaways share the same Use Class.

Policy RET2 therefore seeks to encourage a diversity of uses within the County's Central Shopping Areas where this would not harm their role / character or undermine their vitality, attractiveness or viability. The unit in question forms part of a frontage that includes a retail shop, beauticians and bank and is opposite Waitrose offering a diversity of uses along this part of the Caldicot High Street. In addition, there is a general acceptance of A2 and A3 uses within primary shopping frontages as it is recognised (Policy RET1) that the latter, including cafes, hot food take-aways and restaurants can complement retail uses. This application is for an A3 use (though no specific use) in the primary shopping area in Caldicot and the resulting application will not create a continuous frontage exceeding two or more non-A1 units, which would prevent the creation of a 'dead frontage'. Given this, whilst the application would result in an increase to non-A1 uses within the Primary Shopping Frontage, it is clear that the unit has been vacant for over 2 years with no interest as A1 and this slight increase above the 35% limit to 37% in this instance is considered acceptable and would not sufficiently exceed the guidance limit on non-A1 uses to warrant a refusal of planning permission.

5.2 Other issue

This relates principally to hours of operation and whether there should be a limit on opening hours due to any potential impact upon neighbouring properties. This is a town centre location, with no residential accommodation above (only storage) and no neighbours in close proximity to the application site. No opening hours are specified within the application document. However, it is considered to be appropriate to control this aspect. Therefore, the opening times of the premises are proposed to be conditioned and the applicant will be required to submit the information to the Local Planning Authority and approved by the Local Planning Authority prior to the commencement of the A3 use. This would be consistent with the approach taken when planning application DC/2014/00661 was approved for an A3 use at 7 Wesley Buildings, Newport Road, Caldicot.

6.0 **RECOMMENDATION: APPROVE**

Conditions:

1. Standard 5 years in which to commence development.
2. Detail of the opening times shall be submitted to the Local Planning Authority and approved by the Local Planning Authority prior to the commencement of the A3 use, hereby approved. The premises shall operate within the limits of the approved details.

Informative

Please see Dwr Cymru/Welsh Water comments in letter dated 05/08/2012