

Report of the Chief Executive

**18/00409/FUL
CHANGE OF USE FROM RESIDENTIAL (CLASS C3) TO OFFICES
(CLASS A2)
2A, 3A & 4A THE SQUARE BEESTON NOTTINGHAMSHIRE NG9 2JG**

The application is being brought to Committee as the site is owned by Broxtowe Borough Council and the application has been submitted on behalf of the Council.

1 Details of the application

1.1 This is a planning application for a change of use of three residential units above retail units in Beeston Town Centre, to three offices, under Class A2. Each unit would retain individual access from the rear of the building. There are no external alterations proposed.

1.2 There are no specified opening hours proposed.

2 Site and surroundings

2.1 The site is the upper floor above retail units in The Square, which form part of the Prime Shopping Frontage. The site is above the units occupied by Peacocks and the House of Ashley Peake and adjoins Birds to the north east and a jewellers to the south west. The upper floors of these adjoining units are in use as ancillary storage/office space for the units below.

2.2 The building is two storey and the upper floor of the site (the subject of the application) was last in use as three residential units, arranged on one floor, each having three bedrooms. The upper floor is accessed from the rear via external steps which are in turn accessed from the rear delivery / service area for the adjoining retail units on this side of The Square.



Front elevation of the application site showing retail units beneath, taken from the precinct



Service yard taken from Station Road

Rear of first floor units

3 Relevant Planning History

- 3.1 A hybrid application (13/00042/FUL) consisting of outline permission for the removal of the external canopy and refurbishment of the street facing elevations of the building which includes the application property and full permission for partial demolition and replacement of the wider Square Shopping Centre was approved in July 2013.

4 Policy Context

4.1 **National policy**

- 4.1.1 The National Planning Policy Framework (NPPF) March 2012, contains a general presumption in favour of sustainable development whereby planning permission should be granted for proposals that accord with the development plan without delay.

- 4.1.2 Section 2 (Ensuring the vitality of Town Centres) of the NPPF requires LPA's to provide opportunities for retail uses to be located in defined Town Centres, in order to ensure the vitality of the centre.

4.2 **Broxtowe Aligned Core Strategy**

- 4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

- 4.2.3 Policy 6: Role of Town and Local Centres. Retail uses, including Class A2, are expected to be located in town centres, in order to maintain the vitality and viability of the town centre.

- 4.2.4 Policy 10: 'Design and Enhancing Local Identity' states that development should be assessed in relation to a number of factors including its impact on the amenity of nearby residents.

4.3 Saved Policies of the Broxtowe Local Plan

4.3.1 The Part 2 Local Plan is currently under preparation. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:

4.3.2 Policy S1: Shopping and Associated Uses within Town Centres. This policy allows for the granting of planning permission for A1, A2 and A3 uses within centres provided that they do not have an unacceptable impact on neighbouring uses, or on the vitality and viability of the Town Centre.

4.3.3 Policy S4: Prime Shopping Frontages. This policy seeks to retain A1 uses at ground floor level within the prime shopping frontage.

4.4 Part 2 Local Plan (Draft)

4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. Consultation on the draft plan occurred between 18 September and 3 November 2017. The consultation comments are currently being considered and a summary of the comments provided were reported to the Council's Jobs and Economy Committee on 14 December 2017. Due to the current stage of the plan preparation, only limited weight can be attached to the policies.

4.4.2 Policy 10: Town Centre and District Centre Uses. This policy builds upon the above mentioned policies and additionally expands upon this by aiming to secure the use of upper floors for a main town centre use within centres.

4.4.3 Policy 11: The Square, Beeston. The policy sets out the aims for the redevelopment of the Square and seeks to ensure that new development in this area increases the vitality and viability of the centre as a whole.

5 Consultations

5.1 Nottinghamshire County Council as Highways Authority have no objection.

5.2 The NET team have been consulted. Any response will be reported at committee.

5.3 To publicise the application, 25 properties were consulted. No comments have been received.

5.4 Cadent note that there is gas apparatus within the vicinity of the site and have requested that the Local Authority advise of the recommended decision, and recommend an advisory note, in respect of responsibilities for safeguarding the apparatus, be attached to any decision.

6 Appraisal

- 6.1 The main issues to consider with this application are whether the proposed use (Class A2) is acceptable in this location and its impact on the vitality and viability of Beeston Town Centre.
- 6.2 The upper floor has last been occupied for residential purposes. The occupation of the last flat ended in May this year. The application seeks to change the use of the upper floor to three x A2 units.
- 6.3 The main aim of the Local Plan retail policies is to ensure Beeston Town Centre has a strong retail function. There are no adopted or emerging policies that highlight the need to retain C3 uses within Beeston Town Centre.
- 6.4 It is considered the proposed change of use will enhance vitality and viability of Beeston Town Centre by expanding the provision of a range of Class A uses within the centre. Whilst the opening hours are not given, it is expected that the use as A2 (financial and professional services) will assist in increasing activity within Beeston Town Centre. The units are located close to regular bus and tram services and can be easily accessed on foot. The proposed A2 use in this location will contribute to the wide range of services offered in Beeston Town Centre and therefore is broadly compliant with Policy 6 of the Aligned Core Strategy.
- 6.5 The proposal accords with Policies 10 and 11 of the Draft Part 2 Local Plan, and Policies S1 and S4 of the Broxtowe Local Plan in that it brings a retail use to the upper floors of a building within the Town Centre, and would enhance the vitality and viability of The Square.
- 6.6 In regard to the loss of residential use, it is noted that the three flats were the last remaining of residential units above the shops, with most being lost during the redevelopment of the Square. It is also noted that the access to the flats was unwelcoming and inappropriate for family occupation, being accessed via a service and delivery yard, which is hidden from view and which would have the potential for anti-social behaviour issues, particularly at night. The site therefore has become unsuitable for retention as family accommodation.

7 Conclusion

- 7.1 The proposal to change the use of the upper floor above the retail units to Class A2 use would not see a loss of A1 retail units in the Prime Shopping Frontage and therefore would not result in a reduction to the vitality of the Town Centre. The proposed change of use would also provide offices suitable for small 'start up' businesses and as such would contribute to the vitality of the Centre. The proposal accords with Broxtowe Local Plan Policies S1 and S4, with Policies 6 and 10 of the Broxtowe Aligned Core Strategy, with Policies 10 and 11 of the Draft Part 2 Local Plan and with the National Planning Policy Framework.

Recommendation

The Committee is asked to **RESOLVE** that planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the Site Location Plan (1:1250) received by the Local Planning Authority on 14 June 2018 and existing and proposed layout drawing numbers Beeston Square 002; received by the Local Planning Authority on 12 June 2018.

Reasons

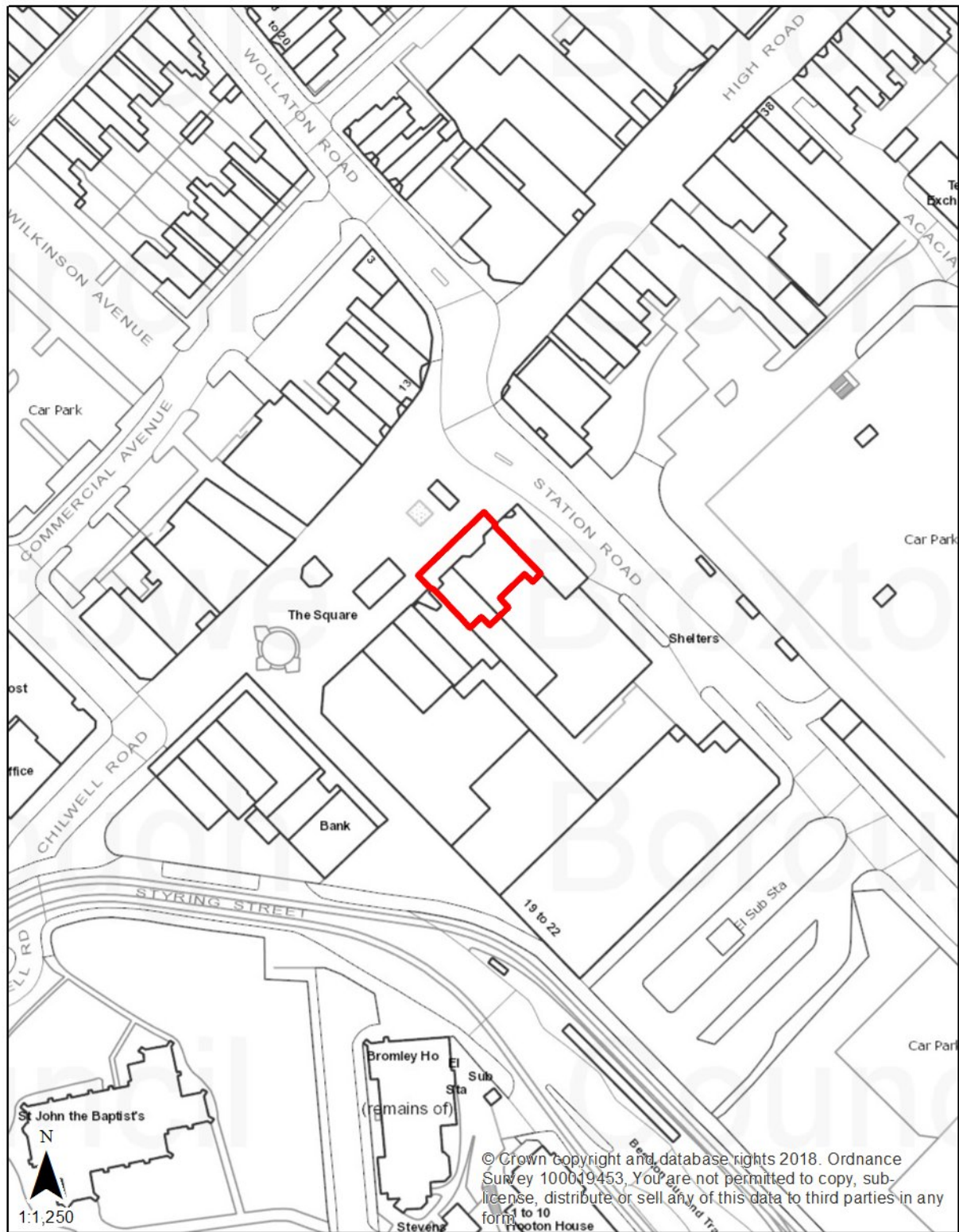
1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.

Note to Applicant

The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework, by communicating with the agent throughout the course of the application.

Background papers

Application case file



Legend

Road Names



Site