

Report of the Chief Executive

**18/00663/FUL
CHANGE OF USE FROM BUILDING SOCIETY (CLASS A2) TO CAFÉ/
RESTAURANT (CLASS A3)
8 THE SQUARE, BEESTON NG9 2JG**

The application is being brought to Committee as the site is owned by Broxtowe Borough Council.

1 Details of the Application

1.1 This is a planning application for the change of use of 8 The Square from a building society to a café / restaurant use. The unit would be knocked through to the adjacent unit (9 The Square) which is currently occupied by Costa Coffee, to make a combined unit. There are no external alterations proposed.

2 Site and Surroundings

2.1 The site is a ground floor unit, currently vacant, in The Square, which forms part of the Prime Shopping Frontage in Beeston Town Centre. The unit is between McCulloch jewellers (an A1 retail unit) and Costa Coffee (an A3 use). The unit was formerly occupied by Nationwide building society, which has re-located to a unit nearby.



Site



9 The Square, adjacent.

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 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) July 2018, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.

4.1.2 Section 7 (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 awaiting Examination hearing sessions. 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. The draft plan has been submitted for Examination, with examination hearing sessions currently anticipated to take place toward the end of this year. The representations on the plan included 7 no. representations in relation to Policy 10 and 9 no. representations in relation to Policy 11. Given that

there remain outstanding objections to Policies 10 and 11 that will need to be considered through the Local Plan examination process, these policies can be afforded only limited weight.

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 Comments of Environmental Health – no objections subject to conditions in regard to ventilation, opening hours and to the storage of waste. Details of waste storage have already been provided and this will be as per the adjacent unit.

5.2 To publicise the application three properties were consulted, and a site notice was posted outside the application site. No representations have been received.

6 Appraisal

6.1 The main issues to consider with this application are whether the proposed use (Class A3) is acceptable in this location and its impact on the vitality and viability of Beeston Town Centre.

6.2 The unit was last occupied as a building society (Class A2) and has been vacant for approximately two years. The application seeks to change the use of this unit to Class A3.

6.3 The main aim of the Local Plan retail policies is to ensure Beeston Town Centre has a strong retail function.

6.4 It is considered the proposed change of use will enhance the vitality and viability of Beeston Town Centre by bringing a vacant unit back into use and will assist in increasing activity within Beeston Town Centre. The unit is located close to regular bus and tram services and can be easily accessed on foot. The proposed A3 use, which sees the expansion of an existing business, 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 back into use a vacant unit within the Town Centre, and would enhance the vitality and viability of The Square.

7 Conclusion

7.1 The proposal to change the use of the unit to Class A3 use would not see a loss of A1 retail in the Prime Shopping Frontage. Notwithstanding this, it is noted that

this unit has been vacant for some time and therefore the proposed use, which would bring the unit back into use, would not result in a reduction to the vitality of the Town 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) and proposed floor plan drawing number Estates 20-07-18 003 Rev A received by the Local Planning Authority on 26 September 2018.**
- 3. The use hereby permitted shall not be open to customers outside the hours of 07.00 – 00.00 hours Monday to Sundays, Bank or other Public Holidays without the prior agreement in writing of the Local Planning Authority.**
- 4. The use hereby permitted shall not be open to customers until details of ventilation and filtration equipment to be installed on the premises have been submitted to and agreed in writing by the Local Planning Authority. Once approved the equipment shall be installed in accordance with these details and shall be retained for the duration of the use.**

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.**
- 3. In the interests of the amenities of nearby residents and in accordance with Policy S1 of the Broxtowe Local Plan (2004).**
- 4. To minimise the emission of odour in the interests of the amenities of nearby residents and in accordance with the aims of Policy E24 of the Broxtowe Local Plan (2004).**

Note to Applicant

The Council has acted positively and proactively in the determination of this application by working to determine it within the eight week determination timescale.

Background papers
Application case file



Legend

- Road Names
- Site