

P/14/1074/CU [O]

WARSASH

YOGLATES LIMITED

AGENT: YOGLATES LIMITED

CHANGE OF USE FROM RETAIL TO CAFE (USE CLASS A3)

7 BROOK LANE WARSASH SOUTHAMPTON SO31 9FH

Report By

Richard Wright - direct dial 01329 824758

Site Description

The application site lies at the southern end of Brook Lane within Warsash village centre near to the roundabout junction with Warsash Road, Shore Road and Newtown Road. It is one unit within a short row on the western side of the road with the two garages/car showrooms in the centre of the village close by.

The application relates to the ground floor unit which is understood to have last been in use shortly before the summer of 2014 for retail purposes (Use Class A1). A small section of pavement outside the front of the shop is also within the application site and is understood to be privately owned. There is larger area of pavement between that and the roadside which has various bollards and cycle hoops on. A bus stop and layby is located immediately outside this row of units.

Description of Proposal

Permission is sought to change the use of this unit from retail to a cafe (use class A3).

The application site includes a section of pavement which is in private ownership. The proposed use could therefore involve tables and chairs placed on this particular section immediately outside of the front door and in front of the shop window.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS3 - Vitality and Viability of Centres

CS17 - High Quality Design

Development Sites and Policies

DSP3 - Environmental Impact

DSP4 - Impact on Living Conditions

DSP34 - Development in District Centres, Local Centres, and Local Parades

Fareham Borough Local Plan Review

S7 - Non-Retail Uses in the District and Local Centres

Relevant Planning History

The following planning history is relevant:

Representations

Three objections have been received with the following concerns:

- Is there a need for another cafe in Warsash?
- The proposal will lead to/exacerbate existing parking problems
- Cars parked in Brook Lane will cause an accident
- Evening opening hours could lead to youngsters hanging around the frontage

One comment has been received in support of the application and with the following points:

- An outlet designed for young families would be a great addition to Warsash particularly at the end of the school day
- Parents may choose to walk to the site as opposed to driving as this is already promoted by schools

Consultations

Director of Community (Environmental Health) - The proposal is unlikely to give rise to nuisance complaints. There are no objections to this proposal.

Planning Considerations - Key Issues

i) Principle of change of use and the effect on Warsash village centre

The site falls within the designated local centre of Warsash as defined in the local plan. The local plan explains that "the Council is concerned to ensure that local centres continue to provide for the day-to-day needs of the local community" (Fareham Borough Local Plan Review para 10.43).

Policy S7 (Non-retail uses in district and local centres and parades) of the Fareham Borough Local Plan Review states that changes of use for ground floor units from Class A1 retail to non-retail will be permitted provided that:

(A) the use would not extend or consolidate existing non-retail uses so that they would dominate the character of the area and shoppers would be discouraged from using the centre or parade;

(B) the non-retail use provides a service appropriate to a shopping centre, such as financial and professional services, a laundrette, cafe or restaurant; and

(C) a shop window display will be maintained.

This policy is intended to be replaced by Policy DSP34 of the emerging Fareham Borough Local Plan Part 2: Development Sites and Policies which places a slightly different emphasis on the issue. The policy supports proposals for changes of use from Class A1 retail to non-retail uses where a shop window display is maintained and where it "would not result in an unacceptable continuous group of non-retail uses on the same side of the street".

The unit at 7 Brook Lane falls within a short section of the street comprising a shop at 5 Brook Lane currently being converted to use as an estate agents (Use Class A2), a beauty salon/nail bar (sui generis), a Chinese takeaway (A5), a hairdressers (A1) and a restaurant (A3). Despite this, it is the Case Officer's view that the proposed change of use of this unit would not lead to an unacceptable grouping of non-retail uses that would harm the character and vitality of Warsash centre. The unit would retain an active frontage and its use as a cafe would generate footfall and would encourage visitors to dwell within the local centre. This is an important factor in ensuring the vitality and viability of centres.

Furthermore, it is noted that the unit has been vacant since the summer time and according to the applicant no interest has been shown from prospective retail tenants. Given that the character of this section of Brook Lane is not that of a shopping area, the mixture of uses that would result is not considered to be harmful.

The proposed use is considered to accord with Policy S7 of the Fareham Borough Local Plan Review and Policy DSP34 of the emerging Fareham Borough Local Plan Part 2: Development Sites and Policies.

ii) Parking

The two objections received have raised the issue of parking problems in Warsash village centre. The application property has no parking provision available on site, however within a short distance are parking spaces on the street along Brook Lane and Shore Road and more available further afield. There is also a public car park on Warsash Road approximately 100 metres from the application site.

Consideration has been given to whether the proposed use would be likely to generate a significantly greater demand for parking than the current lawful use of the premises as a shop (use class A1). The unit was last in use as a shoe shop however other kinds of retail outlets such as a convenience stores would fall within the same use class and could theoretically rent the premises and with a higher demand for parking space.

The comment received in support of the application has pointed out that not all customers to the cafe would travel to the site by car. The suggestion made is that the cafe would be the type of use attractive for people to walk to including families after school time. Additionally the unit is immediately adjacent to a bus stop and there is ample short stay cycle storage outside on the pavement.

In summary therefore, given the existing lawful use of the premises and the availability of parking spaces within a reasonably close proximity to the application site, the proposal is not considered likely to result in a comparative material increase in visitors travelling to the site by car and resulting in parking difficulties in the village centre.

iii) Noise and cooking odour nuisance

There are residential flats close to the application site, although the unit immediately above at first floor level is understood to be an office. Notwithstanding, it is important to take into consideration the likely effect on people living nearby with regards noise and odour nuisance.

The Director of Community (Environmental Health) has raised no concerns in this respect. The opening hours of the cafe could be controlled by condition so that no late night noise would affect neighbours. With regards cooking odour, the applicant has advised that there is no intention to install an extraction system within the unit since the amount of cooking being carried out would be very limited. A counter top oven to warm food such as paninis and nachos would be used however the majority of food to be served and consumed on the premises would be cold. A planning condition could be used to ensure that, in the absence of extraction equipment to cope with cooking smells, no cooking is carried out on the premises except for the small counter top oven proposed by the applicant through which very little odour is likely to be created.

iv) Summary

In summary, the proposal is found to accord with the relevant policies of the local plan. The proposed change of use would not harm the character or vitality of Warsash centre and would not have unacceptable implications in terms of the availability of parking space in the area or for the living conditions of neighbours living nearby.

Recommendation

PERMISSION: Development to be started within three years; opening hours (Monday to Saturday 0900 - 2100 hours, Sundays and public holidays 1000 - 1600 hours); no cooking except for stated oven equipment ("Turbochef Sota" counter top oven); no permitted change of use except back to A1 retail.

Background Papers

P/14/1074/CU

FAREHAM

BOROUGH COUNCIL



7 BROOK LANE
SCALE: 1:1,250

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