

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2018/0066/CA
LOCATION: 120 HIGH STREET SKELTON-IN-CLEVELAND
TS12 2DY
PROPOSAL: CHANGE OF USE FROM RETAIL SHOP
(CLASS A1) TO MICRO PUB / TAPAS BAR
(CLASS A4) (OPENING HOURS 11:30AM TO
10:30PM EACH DAY)

APPLICATION SITE AND DESCRIPTION

Planning permission is sought for a change of use of 120 High Street, Skelton from retail shop (Class A1) to micro pub / tapas bar (Class A4).

The application site is an end of terrace property comprising a ground floor shop with first floor flat on the south side of the High Street. Egg Cup Farm and its associated dwellings are located to the east and a pair of semi-detached dwellings are located to the south.

The site is within Skelton Conservation Area and with the designated local centre.

The application form indicates that the opening hours would be 11:30am to 10:30pm each day.

DEVELOPMENT PLAN

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

NATIONAL PLANNING POLICIES

National Planning Policy Framework (NPPF)

REDCAR & CLEVELAND LOCAL DEVELOPMENT FRAMEWORK (LDF)

CORE STRATEGY DPD

CS1 Securing a Better Quality of Life
CS2 Locational Strategy
CS6 Spatial Strategy for East Cleveland and the Villages
CS12 Rural Economy
CS18 Town District and Local Centres
CS20 Promoting Good Design
CS25 Built and Historic Environment

DEVELOPMENT POLICIES DPD

DP1 Development Limits
DP2 Location of Development
DP3 Sustainable Design
DP6 Pollution Control
DP9 Conservation Areas

EMERGING LOCAL PLAN

On 19 April 2017, the Council formally submitted the Local Plan Publication Draft (together with the Council's proposed Main Modifications) to the Secretary of State for examination. The Inspector's Report in to the Examination of the Redcar & Cleveland Local Plan was published on 23 March 2018 and finds that the Local Plan provides an appropriate basis for planning in the Borough provided the recommended main modifications are made. Para 216 of the National Planning Policy Framework states that from the day of publication, decision makers may give weight to relevant policies in emerging plans according to; the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies in the plan and the degree of consistency with the NPPF. Until the plan is adopted in spring 2018 decisions on applications will reflect this approach.

LS3 Rural Communities Spatial Strategy
SD1 Sustainable Development
SD2 Locational Policy
SD3 Development Limits
SD4 General Development Principles
ED1 Protecting and Enhancing the Borough's Centres
HE1 Conservation Areas

OTHER POLICY DOCUMENTS

Skelton Conservation Area Appraisal

PLANNING HISTORY

L2036/80/UN Conversion of Vacant 1st Floor Premises Into a Flat. Approved 17 February 1981

L0252/89/UN Erection of a 1.3m Diameter Satellite Dis Aerial. Approved 25 May 1989

L/1990/1375/FF Alterations to shop front. Approved 10 January 1991

RESULTS OF CONSULTATION AND PUBLICITY

This application has been advertised by means of a press notice, site notice and neighbour notification letters.

As a result of the consultation period the following representations have been received;

3 objections (one which includes 4 signatories);

- There are no areas designated for vehicle parking.
- Current parking problems would be exacerbated.
- There appears to be no internal facility for the storage of waste bins.
- Invasion of privacy and inconvenience due to people use the private drive for vehicle turning.
- Late night noise and behaviour can be a problem for local residents.
- Kitchen extractor smells can be offensive as is food waste and refuse.
- Impacts on Conservation Area.

1 support;

- Would be a great addition to the High Street.

Ward Members

Councillor Walsh has made the following comments;

No overall objection as it encourages the diversity and footfall into the high street. I would need assurance that all access for customers would be by foot, taxi or public transport as drinking and driving does not mix. I would also wish to see a condition to prevent excessive storage of bins in the rear of the property as this alleyway is used for others access and amenity. Most importantly, I would hope that the applicant has submitted details of fascias, signage and materials consistent with (a) a conservation area, and (b) consistent with a family themed eating and drinking establishment, and that there are no prominent logos for beers etc.

Redcar and Cleveland Borough Council (Planning Strategy)

The proposal is for the change of use from retail shop (Class A1) to Micro Pub/Tapas Bar (Class A4), High Street, Skelton.

The site is located within the boundaries of Skelton High Street Local Centre, as identified by Policy CS18 and emerging Policy ED1. Policy CS18 and ED1 seeks to maintain and strengthen the role of local centres to better serve the community. The development should be supported if it contributes to the vitality and viability of the centre and enhances the range and quality of shops and services available. Whilst the proposals would result in the loss of an A1 retail unit, the proposed use would enhance the range of shops and services and generate visits to the centre. Taking this into consideration, it is considered that the loss of this retail unit to an A4 use would not have a significant adverse impact upon the vitality of the viability of the local centre. It is therefore considered that the proposed location of this development would be considered acceptable and would be broadly consistent with Policy CS18 and emerging policy ED1.

The main policy issue therefore revolves consideration of the potential impacts on residential amenity, having regard to Policy DP2 (part c) and Policy SD4 (part b) in the emerging plan, both of which advise that applications will be considered acceptable if they do not have a significant adverse impact on the amenities of existing or proposed nearby properties.

The site is also located within Skelton Conservation Area, therefore careful consideration should be given to the impact that the proposals would have upon the character and appearance of the conservation area, in accordance with the adopted policies CS25 and DP9 and emerging policy HE1

The development should be well-designed in accordance with the Shopfronts and Advertisements SPD.

Redcar and Cleveland Borough Council (Conservation Advisor)

No objection to the proposal which is considered to preserve the character of this part of Skelton Conservation Area, thus complying with policies CS25 and DP9 of the LDF and Policy HE1 of the draft Local Plan.

Redcar and Cleveland Borough Council (Development Engineers)

I refer to the above application and would offer no objections from a highway point of view. Staff and customers will need to walk, cycle, use public transport or the car parking within Skelton as applied to the previous use. Please condition that there should be no obstruction of the adopted highway during the works, without prior permission of the highway authority.

**Redcar and Cleveland Borough Council (Environmental Protection)
(Contaminated Land)**

I have no objections to the above proposal.

**Redcar and Cleveland Borough Council (Environmental Protection)
(Nuisance)**

I visited the butchers this morning - the neighbouring building is owned by Peter Short who rents the first floor flat out , so there could be potential for noise transmission up to that flat and impact on amenity, so considering this I would recommend a scheme on noise insulation on the party wall/ceiling to minimise noise transmission to that flat

CONSIDERATION OF PLANNING ISSUES

The main considerations in the determination of the application are;

- Principle of Development
- Heritage, Character and Appearance
- Residential Amenity

Principle of Development

The site is located within the designated boundaries of Skelton local centre, as identified by policy CS18 of the Local Development Framework and policy ED1 of the emerging Local Plan.

Both policies CS18 and ED1 seek to maintain and strengthen the role of local centres to better serve the community. The policies state that developments should be supported if it contributes to the vitality and viability of the centre and enhances the range and quality of shops and services available.

Whilst the proposal would result in the loss of an A1 retail unit, the proposed use would enhance the range of shops and services and generate visits to the centre. Taking this into consideration, it is considered that the loss of this retail unit to an A4 use would not have a significant adverse impact upon the vitality of the viability of the local centre.

The proposed change of use complies with policy CS18 of the Local Development Framework and policy ED1 of the emerging Local Plan.

Heritage, Character and Appearance

The application site is located within Skelton Conservation Area. The application seeks a change of use only and no external changes are proposed.

The Councils Conservation Advisor has raised no objections to the application and the proposal would preserve the character of this part of Skelton Conservation Area.

The application, given that no external changes are proposed, would have no adverse impact on the character and appearance of the street scene.

The proposal complies with policies CS20, CS25, DP2, DP3 and DP9 of the Local Development Framework and policies SD4 and HE1 of the emerging Local Plan.

Residential Amenity

The application site is within the designated local centre (and continues to be shown in the local centre in the policies plan associated with the emerging Local Plan).

The site is in close proximity to residential uses that includes flats above ground floor businesses and dwellings to the south, east and west. Nearby residents would currently experience the day to day activities associated with a commercial High Street location. Being located in the commercial centre a balance needs to be struck with regard to achieving a thriving centre whilst protecting the living conditions of the resident population.

A scheme of sound proofing is recommended by the Councils Environmental Protection team.

Given the location it is considered that the proposal would not have an adverse impact on neighbour amenity and the proposal accords with policies DP2, DP3 and DP6 of the Local Development Framework and policy SD4 of the emerging Local Plan

Other matters

The application is at the eastern end of a mixed residential / commercial terrace at its junction with The Hills. In common with other properties in this area there is no parking associated with the property. The Council Development Engineers have raised no objections to the proposal and the proposal raises no issues in terms of highways safety.

The proposed use raises no issues in terms of crime prevention.

The applicant's agent has advised that the existing bin storage arrangement at the rear of the premises will continue an arrangement which is considered acceptable.

CONCLUSION

For the reasons outlined above the proposal is considered acceptable. Subject to conditions the application raises no issues in terms of neighbour amenity, highways safety or crime prevention. There are no external changes and the proposal would not have an adverse impact on the character and appearance of the street scene and would not detract from the Conservation Area. The proposal would not have an adverse impact on the vitality and viability of the commercial centre. The application accords with policies CS18, CS20, CS25, DP2, DP3, DP6 and DP9 of the Local Development Framework and policies SD4 and ED1 of the emerging Local Plan.

RECOMMENDATION

Taking into account the content of the report the recommendation is to:

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development shall not be begun later than the expiration of THREE YEARS from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan received by the Local Planning Authority on 05.02.2018
Site Plan received by the Local Planning Authority on 05.02.2018

Proposed details received by the Local Planning Authority on 05.02.2018

REASON: To accord with the terms of the planning application.

3. Before the use is hereby approved is commenced details of a scheme for the sound insulation of the building shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be completed prior to the commencement of the use hereby approved and shall thereafter be retained. The noise insulation measures shall be designed to achieve noise insulation to a standard that nuisance will not be caused to the occupiers of adjacent residential accommodation from the proposed development.

REASON: In the interests of neighbour amenity and to minimise the disturbance by noise for residential occupiers of adjacent dwellings from the proposed development.

4. The working hours for all construction activities on this site are limited to between 08:00 and 18:00 Mondays to Friday and 08:00 to 13:00 Saturdays and not at all on a Sunday or Public Holidays.

REASON: In the interest of neighbour amenity.

5. The premises shall be open to customers during the following hours: -
11.30am to 10.30pm each day

REASON: To safeguard the amenities of residential properties.

STATEMENT OF COOPERATIVE WORKING

The Local Planning Authority considers that the application as originally submitted is a satisfactory scheme and therefore no negotiations have been necessary.

INFORMATIVE

At no point shall the adopted highway be blocked up without the prior consent of the Councils Highways Maintenance section.