



**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

to
**CENTRAL AREA PLANNING COMMITTEE
30 MAY 2018**

Application Number	FUL/MAL/18/00342
Location	99 Wood Road Heybridge Essex CM9 4AS
Proposal	Change of use to florist shop
Applicant	Mrs Sarah Smith
Agent	N/A
Target Decision Date	4 June 2018
Case Officer	Louise Staplehurst, TEL: 01621 875706
Parish	HEYBRIDGE WEST
Reason for Referral to the Committee / Council	Council Owned Land

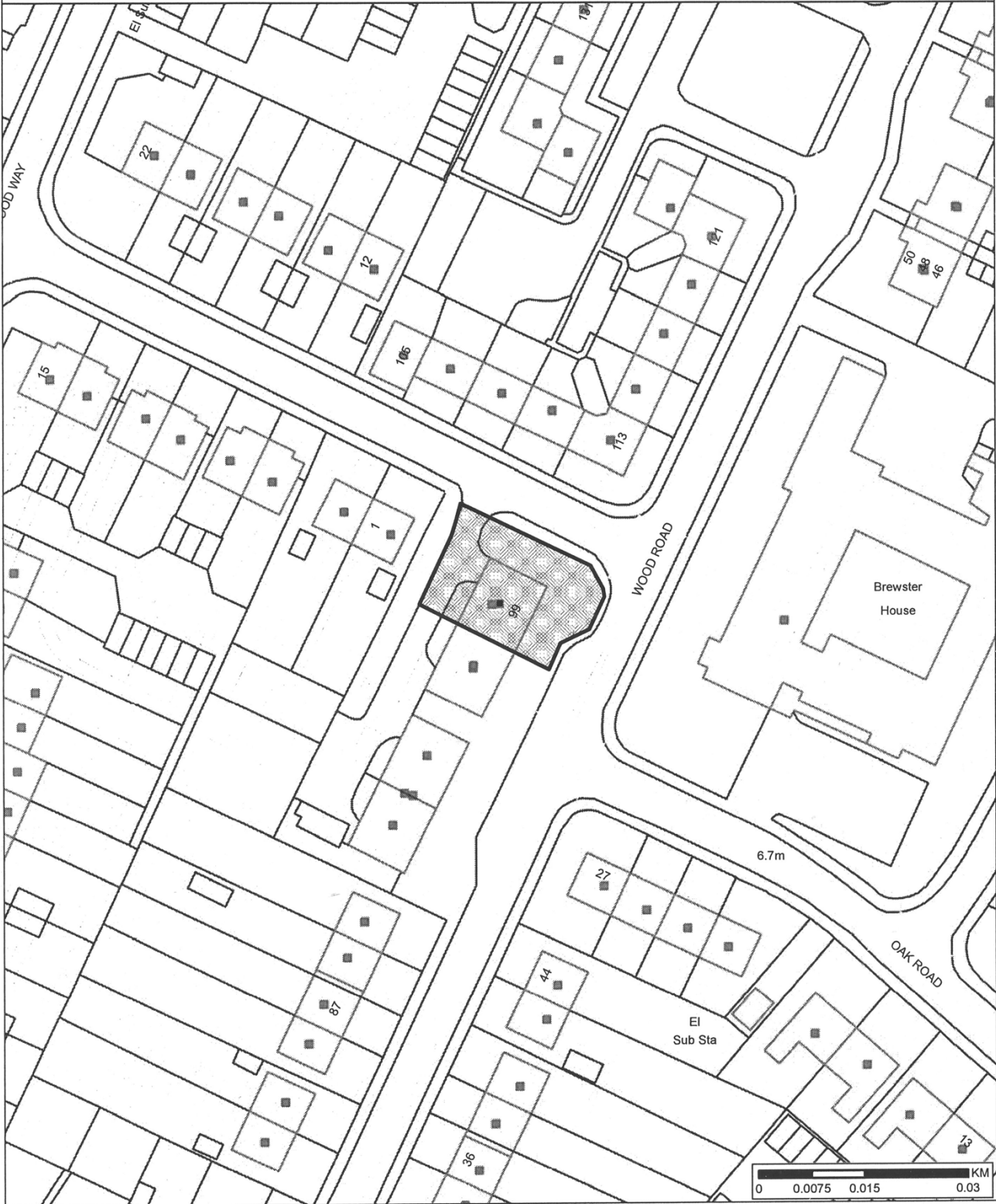
1. RECOMMENDATION


APPROVE for the reasons as detailed in Section 8 of this report.

2. SITE MAP

Please see overleaf.

99 Wood Road Heybridge
FUL/MAL/18/00342



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Central Committee
	Date:	16/05/2018
	MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located on a corner plot, west of Wood Road, within the settlement boundary of Heybridge. The application relates to the ground floor of a building, which currently comprises a laundrette on the ground floor and a flat on the first floor.
- 3.1.2 Planning permission is sought for a change of use class from sui generis to A1 shops. The applicant also wishes to replace the shop front windows and doors.
- 3.1.3 Specifically, the unit is currently used as a laundrette and the applicant wishes to use it as a florist.
- 3.1.4 The applicant has stated green waste will need to be disposed of, in relation to the business use, and will therefore require a green waste bin.
- 3.1.5 The proposed hours of opening are 09:00 to 18:00 every day. The florist will create and sell floral arrangements, gifts, helium balloons, chocolates, wine and greeting cards.

3.2 Conclusion

- 3.2.1 The proposal involves the change of use from sui generis (laundrette) to A1 (florist). The proposed change of use is not considered to detrimentally impact on the character and appearance of the surrounding area, the amenity of neighbouring occupiers or parking provision and highway safety. It is therefore in accordance with policy D1 and E2 of the Maldon District Local Development Plan.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2012 including paragraphs:

- 56-68 - Requiring Good Design

4.2 Maldon District Local Development Plan approved by the Secretary of State:

- D1 Design Quality and Built Environment
- E1 Employment
- E2 Retail Provision
- T1 Sustainable Transport
- T2 Accessibility
- S1 Sustainable Development
- H4 Effective Use of Land

4.3 Relevant Planning Guidance / Documents:

- Car Parking Standards
- Essex Design Guide
- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Design Guide

5. **MAIN CONSIDERATION**

5.1 **Principle of Development**

5.1.1 Policy E2 aims to support the provision of retail units. Although the site is not located within a town centre area, or a primary or secondary area, there is an existing parade of three shops, the other two being a convenience store and a fast food takeaway.

5.1.2 It is not considered that the development is at a scale that would require a retail impact assessment.

5.1.3 The unit has been vacant since February 2016 and therefore there is no objection in principle to the change of use, particularly as it would result in employment and the addition of vitality and viability to the small retail area.

5.2 **Design and impact on the character and appearance of the area**

5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design should be sought to create a high quality built environment for all types of development. There is similar support for high quality design and the appropriate layout, scale and detailing of development found within the Maldon District Design Guide (2017).

5.2.2 Policy E2 aims to encourage shop fronts to be of a suitable design in relation to the surrounding area. The double doors will be moved to the centre of the shop front, with white panels either side of the bottom half of the door, glazed panels either side of the top half of the door and a fascia sign above the door. The internal layout will not be altered. Access to the upstairs flat will remain to the rear.

5.2.3 The windows and doors will be replaced, along with the installation of adverts within the windows and above the door which are to be considered under a separate application. Due to the unit previously being used as a laundrette, the alterations are not considered to have a significant impact on the character and appearance of the area, which includes a parade of three shops, surrounded by a residential area.

5.2.4 The change of use within this application and the associated external alterations are therefore considered to accord with this aspect of policy D1 of the Local Development Plan (LDP).

5.3 **Impact on Residential Amenity**

- 5.3.1 Policy D1 of the LDP seeks to protect the amenity of surrounding areas, taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight.
- 5.3.2 The proposed changes would not affect the other businesses in the row of shops as they also fall under A1 or A5 use classes.
- 5.3.3 The surrounding area is residential and there are flats located above this row of shops, however it is not considered that the change of use within this application would have a significant impact on these neighbouring sites.
- 5.3.4 It is consequently considered that the change of use would not form an unneighbourly development in accordance with the stipulations of this aspect of policy D1 of the LDP.

5.4 **Access, Parking and Highway Safety**

- 5.4.1 Policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian and cycle routes.
- 5.4.2 No vehicle parking information was submitted for this application. The site currently has limited parking to the front of the site; with approximately six parking spaces to the front of the site available to the parade of three shops.
- 5.4.3 It is considered that the proposed use would generally require a similar level of parking spaces to the previous business and therefore there would not be an increase of parking demand to the extent that the proposal could be argued to be contrary to policies T1 and T2 of the LDP.

5.5 **Other Matters**

- 5.5.1 The Council's Economic Development team were consulted on this application and have raised no objections to the application as it maintains employment use and therefore creates jobs and economic growth. It is therefore considered that the change of use would be in accordance with policies E1 and E2 of the LDP.

6. **ANY RELEVANT SITE HISTORY**

- **MAB/72/66** – Shops with flats over – Approved.
- **MAB/25/69** – Laundrette – Approved.
- **FUL/MAL/17/00684** – Replacement windows - timber single glazed to UPVC double glazed. Replacement doors to rear elevation (West) - timber to aluminium. Replacement of timber soffits, fascias & barge boards with UPVC – Approved.
- **ADV/MAL/18/00344** – Fascia sign – Pending consideration.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Heybridge Parish Council	Granting permission would bring a derelict commercial property back into viable use.	Comments noted.

7.2 Representations received from Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objections subject to conditions.	Comments noted.
Economic Development	No objection as it maintains employment use and therefore creates jobs and economic growth.	Comments noted.

7.3 Representations received from External Consultees

Name of External Consultee	Comment	Officer Response
Cadent Gas	Cadent have identified gas apparatus within the application site boundary. The applicant must ensure the works do not infringe on Cadent's legal rights.	Comments noted.

7.4 Representations received from Interested Parties (*summarised*)

7.4.1 No letters of representation have been received at the time of writing this report.

8. PROPOSED CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in complete accordance with the following documents: ATS/560/01, ATS/560/02, ATS/560/06
REASON: To ensure that the development is carried out in accordance with the details as approved, in accordance with National Planning Policy Framework and policy D1 of the Maldon District Local Development Plan.

- 3 Deliveries to and collections from the site shall only be undertaken between 08:00 hours and 18:00 hours on weekdays and between 08:00 hours and 13:00 hours on Saturdays and not at any time on Sundays and Public Holidays.
REASON: To protect the amenity of the surrounding area, in accordance with policy D1 of the Maldon District Local Development Plan.
- 4 No goods, materials, plant, machinery, skips, containers, packaging or other similar items shall be stored or kept outside of the building.
REASON: To protect the amenity of the surrounding area, in accordance with policy D1 of the Maldon District Local Development Plan.
- 5 No machinery shall be operated and no process shall be undertaken outside of the building.
REASON: To protect the amenity of the surrounding area, in accordance with policy D1 of the Maldon District Local Development Plan.
- 6 Prior to first use of the building for the purposes hereby approved, details of a refuse storage scheme shall be submitted to and approved in writing by the Local Planning Authority. The measures set out within the approved scheme shall be implemented prior to the first use of the building hereby approved and retained at all times.
REASON: To protect the amenity of the surrounding area, in accordance with policy D1 of the Maldon District Local Development Plan.
- 7 No means of external illumination of the site shall be installed unless otherwise agreed in writing by the Local Planning Authority.
REASON: To protect the amenity of the surrounding area, in accordance with policy D1 of the Maldon District Local Development Plan.