

Forest Heath District Council

**DEVELOPMENT
CONTROL
COMMITTEE**

4 JUNE 2014

DEV14/117

**Report of the Head of Planning and Regulatory
Services**

**PLANNING APPLICATION DC/14/0340/FUL - 2-5 ELIZABETH PARADE,
NEWMARKET**

Synopsis:

Application under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT OFFICER

Charlotte Ballard (Case Officer)
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Committee Report

App. No: DC/14/0340/FUL **Committee Date:** 4 June 2014

Date Registered: 5 March 2014 **Expiry Date:** 30 April 2014

Case Officer: Charlotte Ballard **Recommendation:** Approve

Parish: Newmarket Town Council **Ward:** St. Mary's

Proposal: Erection of rear extension to Units 3-5. Creation of new entrance and shop fronts. Installation of ATM. Internal alterations to enable enlargement of shops. Relocation of Plant/Bin Store to rear of Unit 2.

Site: 2 - 5 Elizabeth Parade, Newmarket

Applicant: The Co-operative Group

Background:

This application is referred to the Development Control Committee at the request of the Delegation Panel.

Application Details:

1. This application proposes the growth of the Co-op retail store on Elizabeth Parade which currently occupies units 3-5. An extension is proposed to the rear to increase the sales floor area in addition to the internal and external alterations required to facilitate the conversion of no. 2 Elizabeth Parade into part of the store. The entire front elevation will be re-configured with an aluminium shop front and an ATM installed. The existing plant and bin store will be moved to the rear of unit 2 and enclosed within a fenced yard. It is proposed that the shop will be open to the public between 07.00-23.00 seven days a week.
2. The change of use of unit 2 from hot food takeaway to retail does not require planning permission as it is classed as a permitted change. As such, the planning application submitted considers the external alterations made to this unit but not the use itself.

Amendments:

3. Amended elevations were received on 28 March 2014 showing the ATM on unit 5 as opposed to unit 2 as originally detailed.

Site Details:

4. The site is located within the settlement boundary for Newmarket in a largely residential area opposite Scaltback Middle School. Residential dwellings are located to the north east and south west with a double row of garages located to the rear of the units. Residential flats are located above the retail units on the first and second floors.

Application Supporting Material:

5. Information submitted with the application as follows:

Plans, Design and Access Statement.

Planning History:

6. None relevant.

Consultations:

7. Highways Authority: No objections.

Environmental Health: No objection subject to condition requesting noise data to be provided for the proposed plant.

Representations:

8. Cllr Jefferys (Ward member): Has raised the following concerns:

- The application will cause the loss of the fish and chip shop in the parade,
- There will be as a consequence a reduction in the variety of shops in the parade,
- The fish and chip shop is very popular in the local community,
- The closure of the fish and chip shop will cause a significant loss of employment.

9. Parish Council: - No objections.

10. A letter of objection has been received from the manager of Tasty Foods, 2 Elizabeth Parade. The comments can be summarised as:

- Tasty Foods is a well established business trading in this location for over 10 years being forced out by Co-operative,
- Employ 12 members of staff. Although there is an opportunity for a couple to be employed by the Co-op, the majority will be made unemployed,
- Hundreds of customers say its the best fish and chip shop in town,
- Co-op and Tasty Food complement each other, with customers using both services. Loss of the chip shop may mean customers visit a larger supermarket instead of the Co-op, having an even more detrimental effect on an already underprivileged area,
- Would like to have interior/exterior decorated but are reticent to spend money if no longer able to trade.

**Policies:
Development Plan**

11. Core Strategy Policies CS1, CS5, CS10

Other Planning Policy

12. National Planning Policy Framework (2012)

Officer Comment:

13. The concerns raised by the ward councillor and neighbouring business relate to the loss of the fish and chip shop. As the change of use of the unit does not require planning permission it is not possible to refuse planning permission for this application on these grounds. The landlord has taken the choice to end the tenancy of the fish and chip shop and this is a private matter between themselves and not a material planning consideration.
14. The appearance of the units and the appropriateness of the rear extension and service yard are the main areas of consideration in this determination. In this case, the rear extension is considered minimal in size extending from the existing rear elevation by 3.25m and built in matching materials. Above the units are flats on both the first and second floors with an open balconied area at first floor level above the retail units. For this reason, the roof of the extension will be visible from above, however, this is not considered to be detrimental to residential amenity and is thought acceptable in this regard. At ground level the extension will not be visible from public viewpoints.
15. The plant yard will extend 5 metres from the rear elevation of unit 2 and comprise a 2.1m high metal fence containing mechanical plant required to operate refrigeration systems and air temperature. At present this plant is located to the rear of unit 4. Environmental Health has been consulted and recommends a condition to assess the noise created by this machinery. However, as this mechanical plant is currently located to the rear of unit 4 and simply relocating, it is considered unlikely to represent a noise disturbance.
16. Alterations to the shop front include the repositioning of the entrance door from unit 3 to unit 4 and the provision of a wider ramp creating a more easily accessible entrance. In addition, an ATM will be installed on the frontage of unit 5. Although new glazing is proposed, the signage and overall appearance will remain as existing.
17. Whilst it is unfortunate that another business will be closing, this is not directly as a result of this proposal. The Local Authority has no control over ownership issues or private leases and under permitted development rights unit 2 could change to a different use class without consultation with the Planning Department. The Co-op has stated that they employ 21 members of staff and an additional 10 are proposed. As such, the business is contributing to local employment. The National Planning Policy Framework seeks to provide accessible local services that reflect the community's needs. In this case, it is considered that the application meets this objective.

Conclusion:

18. In conclusion, the extensions and alterations proposed are considered to be in keeping with the existing units and represent modest additional floor space. The frontage alterations will represent an improvement to the appearance of the parade and provide an upgraded access. Taking into consideration the points raised above, as well as the concerns raised by local residents and the ward Councillor, it is Officer's view that the proposal is acceptable and would be in accordance with Policies CS1, CS5 and CS11 of the Forest Heath Core Strategy (2010) and the objectives of the National Planning Policy Framework (2012)

Therefore this application is recommended for approval subject to conditions.

Recommendation

19. That planning permission is approved subject to the following conditions:

- Time limit
- Opening hours to be 07.00-23.00 Monday - Sunday
- Plant yard to be sound proofed to prevent excess noise transfer to neighbouring residences. Noise data for plant with soundproofing to be submitted and approved.
- Compliance with drawings

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<http://planning.stedmundsbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N1CNUKPDHX00>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk, IP28 7EY (or West Suffolk House details as applicable)

Case Officer: Charlotte Ballard

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