

## 29 JULY 2014 PLANNING COMMITTEE

6k 14/0295 Reg'd: 02.04.14 Expires: 28.05.14 Ward: GE  
Nei. 10.04.14 BVPI 20 – Change Number 17/8 On No  
Con. Target: of Use of Weeks Target?  
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Day:

**LOCATION:** Forbouys, Unit 5, Goldsworth Park Centre, Woking

**PROPOSAL:** Proposed sub-division of existing A1 (shop) unit and change of use of new sub-divided unit to a mixed A1 (shop), A3 (restaurant/café).

**TYPE:** Full

**APPLICANT:** Costa Ltd

**OFFICER:** David Raper

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### **REASON FOR REFERRAL**

Councillor Amanda Coulson called this application to Planning Committee due to the public interest in the proposal, in particular the implications for the play area.

### **PROPOSED DEVELOPMENT**

The proposal is for the sub-division of an existing A1 (shop) unit and for the change of use of new sub-divided unit to a mixed A1 (shop), A3 (restaurant/café) use. The proposal originally included an outdoor seating area but this has now been removed from the plans by the applicant. The proposal therefore relates solely to the creation of the new unit.

### **PLANNING STATUS**

- Local Centre
- Urban Area
- Thames Basin Heaths SPA Zone B (400m-5km)

### **RECOMMENDATION**

GRANT subject to conditions.

### **SITE DESCRIPTION**

The proposal site relates to an existing A1 (retail) unit occupied by a newsagents and Post Office located in an existing parade of shops. The parade of shops forms part of the purpose-built Goldsworth Park Centre which features predominately A1 units including a supermarket as well as a surface car park. Surrounding the car park is a Public House, Church, Health Centre and petrol station. The Goldsworth Park Centre is designated as a Local Centre by the Core Strategy (2012).

### **PLANNING HISTORY**

None of direct relevance to the proposal.

## **CONSULTATIONS**

**County Highway Authority:** No objection.

**Environmental Health Officer:** No objection but recommend attaching a condition regarding bin storage.

## **REPRESENTATIONS**

One representation received objecting to the proposal raising the following points:

- Goldsworth Park Centre already has three 'coffee shop' outlets at St Andrews Church Coffee Shop, the Fox and Flowerpot Pub and Waitrose serve tea and coffee
- The proposal would introduce a multi-national firm in an already well-served and saturated market
- The Fox and Flowerpot serves teas and coffees and donates 10% of sales to charity
- The small businesses that rely on passing trade will be devastated and will have to cut staff due to reduced demand

This representation also suggested that the Local Planning Authority did not follow correct procedure in not notifying the objector or displaying an 'A3 poster'. The objector's property is located around 70m from the proposal site and is not an adjoining neighbour; the LPA was not therefore required to notify the owner/occupier of this dwelling. The display of a site notice was also not a requirement in this instance. Correct procedures regarding neighbour notifications and publicity were therefore followed by the LPA.

## **RELEVANT PLANNING POLICIES**

### National Planning Policy Framework (2012)

- Section 1 Building a strong, competitive economy
- Section 2 Ensuring the vitality of town centres
- Section 7 Requiring good design

### Woking Borough Core Strategy (2012)

- CS1: A spatial strategy for Woking Borough
- CS4: Local and Neighbourhood Centres and Shopping Parades
- CS21: Design

### Supplementary Planning Documents / Guidance's (SPDs & SPGs)

- Outlook, Amenity, Privacy and Daylight SPD (2008)
- Parking Standards SPD (2006)

## **PLANNING ISSUES**

### Principle of Development and Impact on the Local Centre

1. The proposal is for the sub-division of an existing A1 (retail) unit and change of use of the new unit to a mixed A1 (retail) and A3 (restaurant/café) use. The proposal would therefore result in a new A1/A3 unit and a smaller existing A1 unit. Core Strategy (2012) policy CS4 'Local and neighbourhood centre and shopping parades' seeks to protect the role and function of Local Centres and states that:

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*“The change of use of A1 retail premises to other town centre uses will only be permitted where:*

- (i) the floorspace is vacant*
- (ii) the unit is not an anchor unit*
- (iii) the change of use is not considered harmful to the vitality and viability of the centre as a whole*
- (iv) existing facilities which provide for people’s day-to-day needs are protected.”*

2. In this instance however the host A1 unit would remain, albeit smaller in size, so the proposal would not result in the loss of an A1 unit. The host unit does feature a Post Office, which is offered protection under policy CS4, however the Post Office would not be affected by the proposal.
3. Core Strategy (2012) policy CS4 considers Local Centres appropriate for a low level of retail growth in order to fulfil their function as local service centres and policy CS1 ‘A spatial strategy for Woking Borough’ seeks to direct most new development in town, district and local centres. The proposal would create a new A1/A3 unit in an existing parade of shops in the Local Centre which is considered compatible with neighbouring uses and is considered to contribute positively to the vitality and viability of the local centre. The proposed new unit is therefore considered to have an acceptable impact on the role and function of the Local Centre.

### Impact on Character

4. This application relates solely to the change of use and the proposed new shop front is being assessed under a separate planning application. The proposed change of use would utilise an existing side door opening and would include no external alterations apart from the shop front. The proposed unit size is considered consistent with the scale and mixed size of neighbouring units and is not considered to impact detrimentally on the character of the area.

### Impact on Neighbouring Amenity

5. The proposed unit would be located in an existing, purpose-built parade of shops and there are no residential units in close proximity to the site. The neighbours at No.1-16 Perleybrooke Lane are located around 35m to the north and the shop front of the unit would be in a courtyard area which is enclosed on three sides. Any increase in vehicle movements resulting from customers, deliveries and staff is considered consistent with the nature and scale of the retail use of the site and is not considered to impact unacceptably on the amenities of neighbours. The proposed opening hours of the unit are 6:30-20:00 Monday-Sunday. This would be broadly consistent with opening hours of surrounding units in the Goldsworth Park Centre and is considered appropriate given the distance to neighbouring occupiers. The opening hours can be controlled by condition (Condition 4). No primary food preparation will take place on the premises and no mechanical air extraction units are proposed. The Council’s Environmental Health Department has been consulted and raises no objection to the proposal subject to a condition requiring details of arrangements for the storage and disposal of waste and recycling (Condition 3).

### Impact on Highway Safety and Parking

6. The proposal would create a new retail unit in an existing parade of shops which is served by a large car park. The car park is considered of sufficient size to

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accommodate parking for customers and staff and there is a service area to the rear of the shops for additional staff car parking and deliveries. The County Highway Authority raises no objection to the proposal in terms of highway safety and the proposal is considered acceptable in this regard.

### Other Issues:

7. Concern had been raised regarding the impact of the siting of the originally proposed outdoor seating area in particular and its implications with regards to the children's play area which is located to the front of the proposed unit in the courtyard area. The outdoor seating area has been removed from the plans and so is not considered as part of the current proposal.

### **CONCLUSION**

8. The proposal would create a new A1/A3 unit in an existing parade of shops; the proposal is considered to contribute positively to the vitality and viability of the Local Centre and is not considered to impact detrimentally on the amenities of neighbouring occupiers, parking provision or highway safety. The proposal therefore accords with the Development Plan and is recommended for approval subject to the conditions below.

### **BACKGROUND PAPERS**

- Site visit photographs
- Consultation response from County Highway Authority dated 01/05/2014
- Consultation response from Environmental Health Officer dated 30/04/2014

### **RECOMMENDATION**

GRANT planning permission subject to the below conditions.

#### Conditions

1. The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason:

To accord with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and Article 3, Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) Order 1995 (or any Orders revoking or e-enacting these Orders with or without amendments) the use of the unit hereby approved shall be restricted only to uses falling within Use Class A1 (retail) or A3 (Restaurants and Cafes) and for no other purpose without the prior written consent of the Local Planning Authority.

Reason:

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To restrict the use of the premises to one which is compatible with the surrounding area and to comply with the policies of the Woking Core Strategy 2012

3. ++ The use hereby permitted shall not commence until details of the arrangements, for the storage and disposal of waste and recycling, shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be agreed shall be implemented prior to the commencement of the use hereby permitted and retained in perpetuity thereafter.

Reason:

In the interests of amenity and to ensure the appropriate provision of infrastructure in accordance with Policy CS16 of the Woking Core Strategy 2012.

4. The premises hereby approved shall only be open to customers between the hours of 06:30 and 20:00 Monday to Sunday including Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In order to protect the amenities of the neighbouring properties.

5. Notwithstanding any indication otherwise given on the approved plans, the change of use hereby permitted applies only to the area hatched in red on unnumbered plan named 'Store Reduction Proposal' received by the Local Planning Authority on 01/04/2014.

Reason:

For the avoidance of doubt and in the interests of proper planning.

6. The development hereby permitted shall be carried out in accordance with the approved plans listed in this notice.

Reason:

For the avoidance of doubt and in the interests of proper planning.

### **Informatives**

1. The plans relating to the development hereby approved are unnumbered plans named 'Site Location Plan' and 'Proposed general layout' received by the Local Planning Authority on 28/03/2014 and unnumbered plan named 'Store Reduction Proposal' received by the Local Planning Authority on 01/04/2014.
2. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
3. All new food premises are required by the Food Safety Act 1990 to register with the Local Authority at least 28 days before the food business opens. Please contact the Environmental Health Department on Woking (01483 755855) for the appropriate registration form.