

Report to: PLANNING COMMITTEE

Date: 01 April 2015

Report from: Head of Housing and Planning Services

Application Address: **Buss Buildings, Waldegrave Street,
Hastings, TN34 1SF**

Proposal: **Change of use from A1 Shop to Sui
Generis Laundrette & A3 Cafe including
new access doors**

Application No: **HS/FA/14/00951**

Recommendation: **Grant Full Planning Permission**

Ward: CASTLE
File No: WA25015S
Applicant: Discount Hydroponics per Westall Walker
Associates PO Box 21 Hastings East Sussex
TN34 3WD

Interest: Freeholder
Existing Use: Warehouse/store

Policies

Hastings Local Plan 2004: E4, DG1, DG2, DG4, DG5, DG14
Conservation Area: No
National Planning Policy Framework: No Conflict
Hastings Planning Strategy: FA2, SC1, E1
Hastings Local Plan, Development
Management Plan, Revised
Proposed Submission Version: DM1, DM3, DM4, DM6

Public Consultation

Adj. Properties: Yes
Advertisement: Yes - General Interest
Letters of Objection: 4
Petitions Received: 1

Application Status: Not delegated - Petition received

Summary

This application is for the conversion of an existing store to a mixed use as a laundrette (sui generis) and a cafe (A1). There have been concerns raised about the potential noise, parking provision and anti social behaviour on and around the site. However having fully assessed the application the proposed change of use is considered acceptable in this location.

The Site and its Location

The site consists of a vacant warehouse/shop and ground floor level, located on the corner of Waldergrave Street and Mann Street. The site is not a listed building or located within a conservation area. The surrounding area is predominantly made up of residential properties with one retail unit on the opposite side of the road. This unit has previously been used as the store for this shop. The upper floors of the premises are used as residential accommodation which is accessed from Mann Street to the rear.

Details of the Proposal and Other Background Information

This application is for the conversion of the existing warehouse/store to a mixed use as a laundrette (sui generis) and a cafe (A1). This proposal will involve the alteration to the existing floor layout of the unit to provide a central lobby area leading to a self service laundrette, professional wash area and cafe. Within the cafe portion of the premises there will be a customer WC and an office/store area.

During the consideration of the application the Environmental Health officer commented that a ventilated lobby was required to provide access to the WC. The proposed plan has been amended accordingly.

The applicant has confirmed that it is proposed to employ 4 full time staff and 4 part time staff across the two units.

The proposed opening hours are as follows;

Cafe - 10:00 - 16:00 Monday to Friday, 10:00 - 16:00 Saturday, Closed Sunday and Bank Holidays.

Laundrette - 10:00 - 22:00 Monday to Friday, 10:00 - 22:00 Saturday, 10:00 - 16:00 Sundays and Bank Holidays.

Previous Site History

HS/FA/07/00516 Conversion of warehouse to form self contained residential unit - Refused - 14.08.2007

HS/FA/98/00420 Change of use of first floor from vacant commercial premises to 1 x 1 bedroom flat - 28.09.1998

HS/FA/90/00607 Installation of door and window in front elevation - Granted - 18.09.1990

Details of Consultations

As part of this application 46 neighbouring properties were consulted and a site notice was displayed.

4 letters of objection were received and a valid petition with 17 signatures was also received. The concerns within this letter relate to;

- Parking facilities
- Commercial waste
- Waste water
- Flooding

- Need
- Impact on neighbouring amenities
- Antisocial behaviour

Sussex Police

The crime prevention design adviser has suggested that the new access doors should be laminated and a minimum thickness of 6.8mm unless they are to be protected by a roller shutter or grille. It has also been suggested that a monitored intruder alarm system and suitable CCTV be installed in order to deter vandalism, theft or anti social behaviour.

Environmental Health

The Environmental Health officer has suggested several conditions including noise attenuation, refuse storage and delivery/waste collection times. Several other guidelines have also been provided for the applicant in relation to health and safety requirements.

Planning Considerations

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

As stated above this application is for the conversion of an existing warehouse/store to a mixed use premises. The right hand side of the property is proposed to be used as a laundrette and professional wash area and the left hand side of the property is shown to be used as a cafe with an office/store and WC.

Residential amenity and character of the area

Several concerns have been raised by the local residents in relation to a potential increase in anti social behaviour and the impact of the business on the local residents. As stated above the crime prevention team have suggested various deterrent options available to the applicant.

Having discussed the residents concerns with the agent for the site it has been detailed that, should the professional wash service be operational a full time member of staff will be present on site. On the days this service is not in operation frequent checks and visits to the site will be carried out to ensure adequate levels of cleanliness and safety are maintained. With regard to the cafe element of the proposal, on the days the cafe is open to customers a full time member of staff will be present. Taking these provisions into account I am of the opinion that any concerns of antisocial behaviour can be overcome with professional management of the site.

Noise pollution

The applicant has indicated that adequate noise attenuating materials can be installed as part of the development to ensure that the noise levels emanating from the site do not have a detrimental impact on the neighbouring properties or the residents above. It has also been indicated that no cooking is to be carried out within the cafe area and as a result no external extraction or ventilation equipment will be required.

In light of the above I would suggest imposing a condition requiring this information is submitted prior to commencement of works.

Parking and Highways

As stated above the site is located in a predominantly residential area. To the front of the site there a designated loading bay and the surrounding streets operate a mixture of residents only parking and pay and display. Although this has been raised as a concern by the local residents I am of the opinion that due to the residential nature of the area and the proximity to town centre, the majority of the customers will be local to the site and travel on foot or make use of the alternative parking in the near vicinity. The fact that on-street parking is actively managed in this area means that any impact on parking resulting from the development will be minimised.

Need

Several of the objections submitted query the need for a laundrette and cafe in this area. Unfortunately 'need' is not a planning consideration and is not a valid justification for refusal.

Street scene/character

As part of this application it is proposed to retain the existing large industrial style opening as the front facade for the cafe and the single door to the right is to be the main entrance to the laundrette. The separate entrances have been retained to ensure that, due to the differing opening hours, the cafe can be secured after closing. Having visited the site it is apparent that the existing premises is beginning to deteriorate and is need of attention. Taking this in to account I am of the opinion that the proposed alteration to the exterior of the property will result in a premises that contributes to the character of the area and provides a service to the local residents.

Employment Use

Policy E4 of the Hastings Local Plan states that employment land within the built up area will be safeguarded and that planning permission will not be granted for development which would result in a loss of land used for-

- (a) B1 Business Use
- (b) B2 General Industrial use
- (c) B8 Storage or Distribution use
- (d) Any uses of a similar character to those above, but not falling within the specified Use Classes, eg. depot, builder's yard.

Having visited the site it is apparent that the existing unit is being used purely as a storage space for the shop unit on the opposite side of the road and not as an independent employment use. Although this proposed change of use would result in the loss of the existing warehouse space, I am of the opinion that the regeneration of the premises to a restricted A3 and Sui Generis use would result in a positive contribution to the character of the area and provide facilities for the surrounding community.

Conclusion

Taking the above in to account I am of the opinion that the concerns raised by local residents can be overcome by the implementation of conditions and adequate management of the site. I therefore recommend the proposal for approval subject to the following conditions.

Evidence of Community Involvement

These proposals comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004.

The Human Rights considerations have been taken into account fully in balancing the planning issues.

Recommendation

Grant Full Planning Permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Prior to commencement of use full details of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - (a) Full details of the proposed extraction and filtration system for the laundrette including drawings at no less than 1:10 scale and details of filters;
 - (b) Noise assessment of the washers and dryers. The rating level of the equipment when measured in accordance with BS4142, should achieve a level of at least 10db below existing background noise level at neighbouring noise sensitive premises unless otherwise agreed in writing by the local planning authority.

The works shall be carried out in accordance with the details approved and no occupation of any building approved shall occur until those works have been completed.

3. The premises shall only be used as a cafe/sandwich bar and laundrette as specified in the application. No primary cooking shall take place or mechanical extraction apparatus installed, and the premises shall not be used for any other purpose within Class A3 unless a further application is submitted to and approved by the local planning authority.
4. No works shall commence on site until details of the proposed drainage facilities have been submitted to and approved in writing by the Local Planning Authority.
5. The Laundrette shall not be used except between the following hours:-
10:00 - 22:00 - Monday - Friday,
10:00 - 22:00 - Saturdays,
10:00 - 16:00 - Sundays and Bank Holidays.

The Cafe shall not be used except between the following hours:-

10:00 - 16:00 - Monday - Friday,
10:00 - 16:00 - Saturdays,
Not at all on Sundays or Bank Holidays.

6. The development hereby permitted shall be carried out in accordance with the following approved plans: 582-03 & 582-02-B

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. To safeguard the amenity of adjoining and future residents.

3. In order to safeguard the amenities of neighbouring residential properties.
4. To ensure that adequate drainage facilities have been provided.
5. To safeguard the amenity of adjoining residents.
6. For the avoidance of doubt and in the interests of proper planning.

Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.
3. The proposal may be a material change of use to which the Building Regulations 1991 apply and a building regulation submission may be necessary before the change of use takes place.

Officer to Contact

Mrs E Meppem, Telephone 01424 783288

Background Papers

Application No: HS/FA/14/00951 including all letters and documents