

Agenda Item	A9
Application Number	20/01153/CU
Proposal	Change of use from shop (Class E) to a dog groomers (sui generis)
Application site	5 Owen Road, Lancaster, Lancashire, LA1 2AW
Applicant	Mrs Heather Brown
Agent	n/a
Case Officer	Mrs Petra Williams
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, Lancaster City Council is the property owner, and as such the application must be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The site that forms the subject of this application is a small vacant commercial unit which is situated in a gateway location to the City alongside the A6 and close to Skerton Bridge on the northern edge of Lancaster. The unit is one of several which occupy the ground floor below a block of residential flats (Captains Row). Other units within the row include a hot food takeaway and office suppliers. To the rear of the unit there are bin storage and parking areas. The premises are separated from Owen Road by a grassed area and is accessed via a minor road off Lune Street which itself is accessed via the A6.

1.2 There are blocks of residential flats to the north-west and south-east of the commercial row. The Free Grace Church and Skerton Liberal Club are situated within nearby Lune Street which is predominantly residential. There is parking provision to the front of the premises which is restricted to 1 hour between the hours of 8am and 6pm Mondays-Saturdays. There is similar restricted parking provision with the northern end of Lune Street which is otherwise limited to residents parking permits.

1.3 The site is within Flood Zone 2.

2.0 Proposal

2.1 The application proposes the change of use of the vacant retail unit to provide a dog grooming service which is a sui generis use.

3.0 Site History

3.1 There is no planning history associated with this site.

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
County Highways	No objections
Environmental Health	No objections
Property Services	No objections

4.2 No public comments have been received.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of the Use
- Residential Amenity
- Highways and Parking
- Flood Risk

5.2 **Consideration 1 Principle of Development** NPPF Section 2: Achieving sustainable development.

5.2.1 The application site is situated within an existing row of commercial outlets which offer a range of services and goods. The unit has been in use as a retail store for a number of years, but it has recently closed. The unit is not within a protected retail frontage and the provision of a dog groomers in this location is considered acceptable given its size and accessibility to the surrounding residential areas and proximity to sustainable transport routes.

5.3 **Consideration 2 Residential Amenity** NPPF Section 8: Promoting healthy and safe communities and Section 12: Achieving well-designed places; Development Management (DM) DPD policy DM29: Key Design Principles

5.3.1 The upper floors of the building are occupied by residential flats, access to which is taken from the rear of the block. There are no planning restrictions in terms of the opening hours of the unit which was last in use as a cycle repair shop. In light of the site's location close to commercial uses, its use does not raise any concerns with respect to existing levels of residential amenity and the Environmental Health Officer has no objection to the proposal. The application has not specified proposed hours, but it would seem reasonable that hours are conditioned in line with other daytime uses.

5.4 **Consideration 3 Highways and Parking** NPPF Section 9: Promoting Sustainable Transport and Section 12: Achieving well-designed places; Development Management (DM) DPD policy DM60: Enhancing Accessibility and Transport Linkages

5.4.1 There is on street parking in the vicinity of the property which is restricted to 1 hour between the hours of 8am and 6pm. Public transport is available close to the site with regular local services available into Lancaster City Centre and surrounding areas. The County Highways consultee has raised no objections and the scheme is considered acceptable in terms of highway impacts.

5.5 **Consideration 4 Flood Risk** NPPF Section 14: Meeting the challenge of climate change, flooding and coastal change; Development Management (DM) DPD policy DM33: Development and Flood Risk

5.5.1 Given the location of the site within an area identified as Flood Zone 2, a Flood Risk Assessment was provided with the application. Land and property in flood zone 2 have a medium probability of flooding. The application is for the change of use of ground floor space and there are no changes proposed to the footprint of the building. The proposal would not increase the risk of flooding to people and property on site, nor the risk of flooding elsewhere. As the proposal seeks a change of use, it can be considered as “minor development” in accordance with the Planning Practice and therefore it is not necessary to apply the sequential test in relation to flood risk. Buildings used for shops and other services are a ‘less vulnerable’ use in terms of Flood Risk Vulnerability Classification, as set out in the Planning Practice Guidance and therefore an Exception Test is not required. The scheme is considered acceptable in terms of flood risk.

6.0 Conclusion and Planning Balance

6.1 The proposal will bring a vacant unit back in to use. It is concluded that the proposal is acceptable in terms of all the relevant material considerations. The scheme is considered to accord with the provisions of the Development Plan and is therefore recommended for approval.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

Condition no.	Description	Type
1	Standard 3-year timescale	Control
2	Development to be carried out in accordance to approved plans	Control
3	Hours of opening	Control

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None