
Delegated report Officer: Neil Thompson

Application ref. DMPA/2021/0903

Change of use from community building (Use class F2) to estate agents (use class E), and conversion of ground floor to install new shopfront at West Street Methodist Church, Basement Store, West Street, Swadlincote, DE11 9DE

Valid date: 29/06/2021

Consults expired: 12/11/2021

EIA development? No

Section 106 agreement? Not required

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

9/2018/0976- Change of use and conversion of church hall into 13 residential apartments. Approved but not implemented.

Responses to consultations and publicity

The Highway Authority considers that there are no objections to the proposal on highway grounds.

The Environmental Health Officer has no objection to the proposal but requests a construction hours condition.

No other responses were received from site notice or neighbour consultations.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- South Derbyshire Local Plan Part 1 2016 (LP1): Policy S1 Sustainable Growth Strategy; Policy S2 Presumption in Favour of Sustainable Development; Policy S3 Environmental Performance; Policy S6 Sustainable Access; Policy SD1 Amenity and Environmental Quality; Policy BNE1 Design Excellence; BNE2 Heritage Assets; Policy INF2 Sustainable Transport.
- South Derbyshire Local Plan Part 2 2017 (LP2): SDT1 Settlement Boundaries and Development; RTL1 Retail Hierarchy, BNE10 Heritage and BNE11 Shopfronts.

The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)
- Swadlincote Conservation Area Character Statement

The relevant national policy and guidance is:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Planning considerations

Taking into account the application made, the documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issues central to the determination of this application are:

- The principle of the provision of a retail use;
- The effect of the proposal on the character and appearance of the Swadlincote Conservation Area;
- The impact on the environment; and
- The effect of the proposal on the highway network.

Planning assessment

The principle of the provision of a retail use

The existing use of the site is as a community room as part of the Methodist Church which fronts the south eastern side of West Street. The building is situated on different levels. This part of the building is situated along the Market Street frontage which has no other retail units to the western side of the building. However, there are several retail units on the north west side of Market Street which replaced the previous outdoor market area in the 1980's. These are rear entrances to buildings which were all single aspect fronting West Street. There was only one commercial unit which straddled the two streets, which was the former Bellfields shop unit, now split into two commercial units; Nisa market and Post Office; and the Crown Kickboxing gym.

This proposal is situated in the heart of the old town centre within the main retail section of the town. The principle of a new retail unit is acceptable within the town centre and compatible with Council policy RTL1 Retail Hierarchy. This unit would be a new Class E use. On this basis, the creation of the estate agents office is acceptable and is considered to be a sustainable development in compliance with policies S1, and S2 of the South Derbyshire Local Plan Part 1 2016, and policy RTL1 of the South Derbyshire Local Plan Part 2 2017.

The effect of the proposal on the character and appearance of the Swadlincote Conservation Area

The site is located within the Swadlincote Conservation Area. The building has historically not had a shopfront situated within it, but is a brick built building, with rear exit door to the communal hall. There are two vertical emphasis probably former window openings, which have been cemented up over the years. There are timber sash windows still in place on the first floor. There are London Plane trees on the street, a couple of metres from the building, which are overdue a pollarding.

The Swadlincote Conservation Area Character Appraisal 2014 notes the number of traditional shopfronts still retained within the town centre. The large Wesleyan Chapel fronting West Street is noted as being from 1863. The Hall the subject of this application is noted as being a building of merit within the Conservation Area.

The proposed new shopfront has been through several iterations since the original submission to improve the quality of the new shopfront and to introduce some more traditional elements of a shopfront, and also to retain the existing doorway entrance on the western side of the building.

The main issue is the impact on the significance of the conservation area. The original proposal was not acceptable and would have resulted in harm. However, due to the proposed amendments, it is considered that the proposal can now be considered acceptable in terms of its impact on the historic environment. Conditions can be imposed to ensure that the details of the implementation meet the aspiration of policy BNE11 which can achieve the quality and architectural contribution within this town

centre location. This will include details of joinery, and colour finish to replicate a Victorian shopfront with a modern style with traditional materials and sympathetic details.

It is concluded that the proposal would comply with policies BNE1 and BNE2 of the South Derbyshire Local Plan Part 1 2016, and policies BNE10 and BNE11 of the South Derbyshire Local Plan Part 2 2017.

The impact on the environment

The Environmental Health Officer has requested construction hours be conditioned to be limited so as to be during the daytime. Although there are few residential properties in this part of the town centre, the condition seems reasonable, in the general interests of public amenity and the hours are generous. The proposal would therefore comply with policy SD1 of the South Derbyshire Local Plan Part 1 2016.

The effect of the proposal on the highway network

The proposal would be likely to increase footfall within the town centre, but as most journeys would be linked, and given that the site is centrally located, with public car parking spaces nearby, and the bus station very close, it is not considered likely to result in a detrimental impact on highway safety, or on the highway network. On this basis, the proposal is considered acceptable and complies with policies S6 and INF2 of the South Derbyshire Local Plan Part 1 2016.

Conclusions

The proposed new shopfront and Class E use is considered acceptable, and it recommended that planning permission is granted subject to the imposition of appropriate conditions.

Recommendation

Approve with Conditions

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation made:	16/11/2021
Report agreed:	19/11/2021
Authorised officer:	Steffan Saunders
