

# PLANNING BOARD

# B8

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Subject: 14 Westbourne Arcade

Proposal: Change of use of shop (Class A1) to shop/cafe (ClassA1/A3)

Application No. 7-2012-24467-B

Applicant: Mr P Whitehouse

Agent: Mr P Whitehouse

Application Valid 12 September 2012

Status: Public

Ward: WC

Director: Planning and Transport

Meeting Date: 19 November 2012

Contact: Tom Hubbard, Planning Officer  
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✉ [planning@bournemouth.gov.uk](mailto:planning@bournemouth.gov.uk)

**Planning Board Decision Because: 10+ letters of representation received contrary to recommendation.**

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## 1.0 Previous Relevant Planning Applications and Appeals:

1.1 2010 - Planning consent and Listed Building Consent for alterations to rear elevation to create new entrance to flat and formation of internal staircase - Refused

## 2.0 Summary of Proposal:

2.1 Planning Consent is sought for a change of use of the A1 shop unit to a mixed use shop and cafe (A1 and A3).

## 3.0 Relevant Policies:

3.1 The following Policies of the Core Strategy are considered relevant:

Policy CS9 - Enhancing District Centres  
Policy CS38 - Minimising Pollution  
Policy CS39 - Designated Heritage Assets

## Policy CS41 - Quality Design

District Wide Local Plan:

Policy 4.4 - Development in Conservation Areas

Policy 5.19 - Core Shopping Areas

National Planning Policy Framework (2012)

### 4.0 Issues:

- 4.1 The issues to consider in my opinion are whether the proposal complies with the relevant policies and other material planning considerations including:
- 4.2 **Impact on the vitality and viability of the shopping area:** The site lies within a designated core shopping area. The area has a number of specialist retailers as well as a good mix of services including a post office, banks, building societies, cafes and restaurants. The area was laid out in the 1860s and forms a compact shopping area of the late Victorian to Edwardian period. It is part of a designated Conservation Area.
- 4.3 The site comprises a ground floor retail unit with residential accommodation above sited in the Grade II Listed Westbourne Arcade. The shop unit is currently vacant, although it is not known for how long this has been the case. It was last used as an A1 retail unit.
- 4.4 A change of use is proposed to a mixed use of A1 (retail) and A3 (cafe/restaurant), for a retail art shop also serving some cafe drinks and light foods. The applicant states that the specific use is intended to be primarily an art gallery with initially a cafe use that is almost ancillary, with just one table and one sofa for customers. The need for the change of use is to give flexibility over the ability to offer a greater proportion of A3 cafe use if required.
- 4.5 A recent (2012) retail survey of the whole of the Westbourne retail area found approximately 65% of units were A1 uses, 12% A2 and 12% A3. The number of A1 units is up 1% on a 2010 survey, the number of A3 units up by 0.5%, and there are fewer vacant units in 2012 compared to 2010 (7 vs. 10). This indicates the shopping core is in relatively good health. There are more A3 uses on the edges of the retail area, with a greater concentration of A1 uses in the heart of the retail area on Poole Road and in the Arcade itself.
- 4.6 Local Plan Policy 5.19 indicates that the loss of A1 retail uses to A2 or A3 uses maybe acceptable in core shopping areas providing the use will make a positive contribution to the retail character of the area. The policy states that such uses may be permitted provided it can be demonstrated that the use will make a positive contribution to the diversification of the core and to its retail character, vitality and viability. Core Strategy Policy CS8 echoes Policy 5.19 in stating that it is important to enhance the vitality and viability of shopping areas, and that proposals should contribute positively to the range of services on offer. As noted above there is a strong A1 retail element in the Westbourne area. Retail areas everywhere are under

pressure at the moment due to the economic situation and changing shopping habits, but it appears that with a high number of retail units and a generally low level of vacancies that Westbourne appears to have a relatively healthy shopping core. The flexibility to offer a further range of different uses and services is not considered to be detrimental to the retail character of this area.

- 4.7 The proposed use retains a significant A1 retail element in the form of an art gallery and shop in this case, and adds an A3 element by providing hot and cold drinks and light foods to eat on the premises. The retention of a significant A1 element together with a predominantly daytime use (8am-6pm) indicates that this proposed use would contribute towards the vitality and viability of this shopping area and would not be harmful to the shopping centre offer.
- 4.8 **Impact on the character and appearance of the area:** The change of use itself would retain an active ground floor commercial use with a shop window and would not be harmful to the character and appearance of the area. There are no external alterations proposed.
- 4.9 **Impact on neighbouring residents:** The application property is within a predominantly commercial area and is surrounded by a number of similar uses. There are some residential properties at upper floors within the vicinity of the site, and residential units also exist to the rear of the site.
- 4.10 It has been stated that the use is primarily as an A1 retail shop. The cafe use is proposed to be relatively small in scale, and would involve hot drinks and light foods and snacks that are prepared off the premises. This means that commercial extraction facilities are not proposed or required, subject to a condition to limit the cooking of foods on the premises. This means that the use would not have an impact on neighbouring residents in terms of noise or odour from commercial extraction facilities.
- 4.11 The hours of use proposed are 8am-6pm Monday to Saturday and 9am to 4pm on Sundays and Bank Holidays. It is considered that these hours are in keeping with the other uses in this commercial area. It would not be a late night use that would be harmful in terms of levels of activity or noise and disturbance in the evening. The mixed use is very similar in terms of hours of use and levels of activity to a solely A1 use, and therefore it is not considered that it would be harmful to the residential amenities of neighbouring residents.

## 5.0 Representations:

- 5.1 77 letters of objection and petitions containing approximately 105 signatures have been received, raising the following material planning issues:

*Too many cafes in Westbourne/loss of retail shop/impact on the vitality and viability of the shopping area*

This issue is discussed in Section 4.2 of the report above. It is considered that the use would retain a significant A1 retail element, and would contribute positively to the range of services on offer in the shopping area.

*Impact on the character of the arcade*

The use would retain an active commercial use with a retail shop front and therefore would be in keeping with the character of the arcade. There is no indication of any proposed physical changes.

*Obstruction on the walkway*

There is no indication provided that any tables and chairs are to be placed outside the shop unit in the arcade.

*Noise and disturbance*

This issue is discussed in Section 4.9 of the report above.

*Evening use*

The use is not proposed to be an evening use, and an hours of use condition can confirm this.

- 5.2 44 letters of support have been received, raising the following material planning issues:

*Positive re-use of empty unit*

*The use would complement the retail uses*

*A unique use proposed that would benefit the area*

**6.0 Conclusion:**

- 6.1 In summary it is considered that the proposed change of use to a mixed use A1 and A3 unit would not be harmful to the vitality and viability of the shopping area and would not be harmful to the residential amenities of neighbouring residents. It retains a significant A1 element, and the proposed A3 element would complement the other uses in the retail area.
- 6.2 Having regard to the pattern of existing development in the area and relevant provisions of the Development Plan, including the NPPF, it is considered that subject to compliance with the conditions attached to this permission, the development would be in accordance with the Development Plan, would not materially harm the character or appearance of the area or the amenities of neighbouring and proposed occupiers and would be acceptable in terms of traffic safety and convenience. The Development Plan Policies considered in reaching this decision are outlined in Section 3.1 of the report above.

## **7.0 Recommendation:**

**Grant, with the following conditions:**

### **1. Development to be carried out in accordance with plans as listed:**

The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Floor Plans stamp dated 25 October 2012.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

### **2. Hours of use**

The use hereby permitted shall not be open to customers outside the following times: 08.00 hours and 18.00 hours.

**Reason:** To safeguard the amenities of occupiers of adjoining and nearby properties and in accordance with Policy CS38 of the Bournemouth Local Plan: Core Strategy (October 2012) and Policy 5.19 of the Bournemouth District Wide Local Plan (February 2002).

### **3. Extraction/food types**

The use shall be limited to that specified in the written statement stamp dated 25 October 2012, which forms part of this planning permission, and the items of food that shall be available for consumption on the premises shall be limited to those foods and snacks that do not require cooking or heating on the premises, unless the prior written agreement of the Local Planning Authority is obtained to any variation.

**Reason:** The use as proposed would not require the need for a mechanical vent, extraction system or external flue and therefore would not give rise to a harmful impact upon residential amenities or the visual amenities of the area and would therefore accord with the provisions of Policy 5.19 of the Bournemouth District Wide Local Plan (February 2002) and Policy CS38 of the Bournemouth Local Plan: Core Strategy (October 2012).



12 September 2012  
CONSULTATION  
7-2012-24467-B  
14 Westbourne Arcade

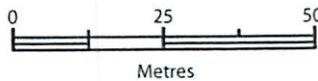
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WESTBOURNE ARCADE

ROUND FLOOR  
HOP AREA

SCALE 1:50

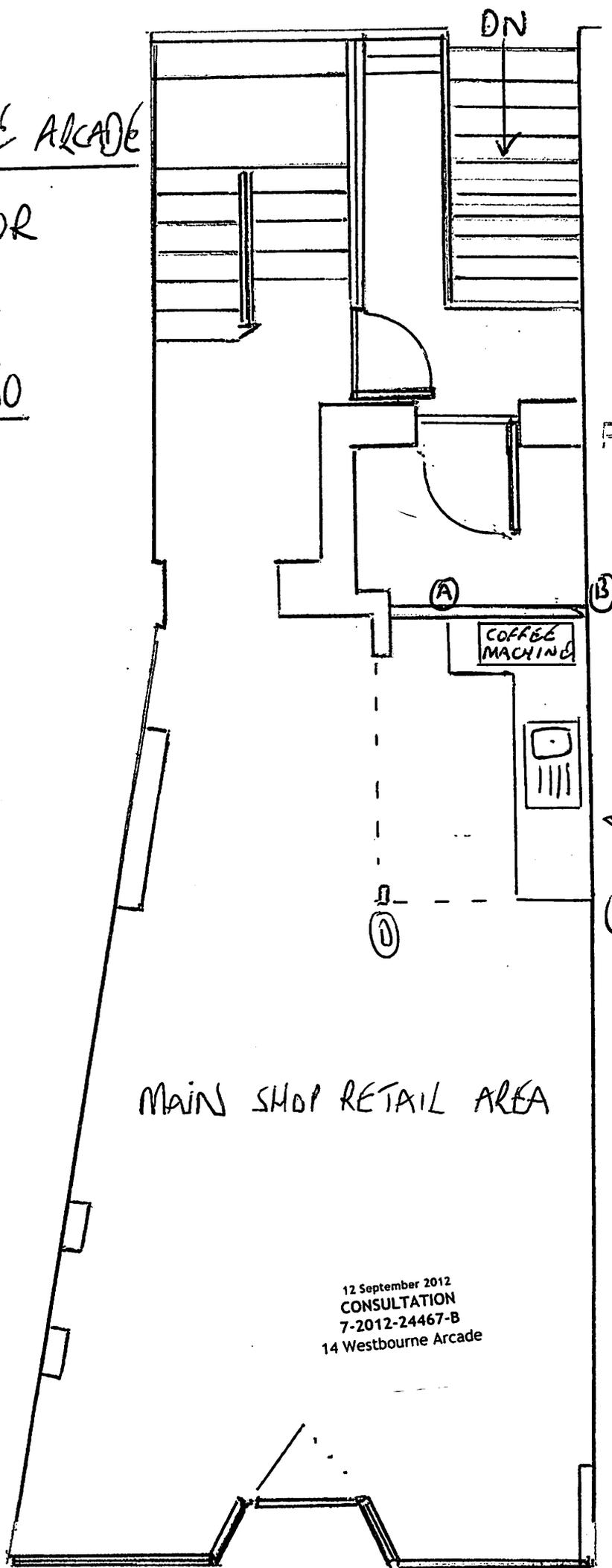
1/09/2012

LUNcheon  
with

1

REV  
25 OCT 2012

PLANNING



Food service  
+ Preparation  
area.

MAIN SHOP RETAIL AREA

A-B = 92cm  
B-C = 210cm

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14 Westbourne Arcade

Total : 1.93  
SQ M.

A-D = 2.30m  
D-C = 1.75m  
Total = 4.025  
SQ M

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25 OCT 2012

PLANNING DEPARTMENT

### **Floor layout**

As you will see from the attached plan (1), the food service area is very small. It measures 92cm x 210 cm. The worktop area will be inside a clean sterile area that is open onto the rest of the shop. Also included in the shop will be a freestanding chiller display cabinet. This makes the food area approximately under 2% of the shops total floor area. (Cupboards and worktop)

We intend to only have one table in the shop where people can sit and drink their coffee or eat their snack etc. This will be central to the shop to give the best effect of the nice surroundings to customers. It's also very much the modern way where strangers share a table and discussion hopefully starts. There will also be a settee against a side wall, again to use as customers wish but not necessarily related to the catering side.

The main reason for this small number of tables is that we are and will primarily be a gallery. For us the ability to relax and have a coffee whilst either enjoying the ambiance of the shop or to sit and contemplate a purchase is paramount for an enjoyable experience.

## **Food Menu**

We intend to start off serving very light foods and coffee in a small scale and to build up as custom demands.

In relation to food, nothing at all will be cooked. We will not have the facility to do so and certainly do not want to. We will concentrate on foods that compliment a short stay and can be easily taken with tea and coffee or whilst relaxing or surfing the Internet.

In the mornings we intend to offer light pastries such as croissants of various types, pain au chocolat , fruit slices and slices of tart etc We plan to bake cakes away from the premises and offer slices of various homemade ones made fresh every day. Our healthy option foods available later on for customers (if there is a demand) will include modern healthy breakfast snacks such a yoghurt meals and muesli etc.

Later on in the day we will offer sandwiches, bagels, panini's and salad along with fruit salads and again these will all be made off the premises and supplied to the shop.

## **Coffee and teas**

This is an aspect of our experience that we wish to develop at the shop. As barista's with several years of experience in the subject we intend to offer the latest trends in coffee and teas.

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25 OCT 2012

POSTAL SERVICE

We will offer a selection of teas (including herbal) from around the world but coffee wise our range will appear quite vast and up to date with modern coffee fashion. We will offer to customers as the usual types including Macchiato, Espresso, Cappuccino, Americano, Latte, café mocha but also more modern types such as cortado, iced coffees and coffees with added flavours. We obtain coffee mainly from South America, but also in new world countries such as Kenya and Turkey. We support fair trade products and encourage blending and hopefully once in situ and up and running will produce our own Westbourne blend.

PERC 2012/10/25

25 OCT 2012

PLANNING 2012/10/25

### **Other**

We will not have any need for extraction as at the shop we will not be cooking etc. I do not anticipate smells coming from the shop and no heating of food is required. Drinks alone will be served hot.

We have refuse arrangements already in place as with any retail outlet but will make arrangements to have food waste kept inside the premises until it is disposed off or collected by a new arrangement with a waste disposal company. At no time will any food rubbish be left outside either at the front or back of the shop.

It will not be necessary for deliveries to have to be made out of shop hours as nobody will be there to take possession of these.