

## **DELEGATED REPORT / CASE OFFICER'S ASSESSMENT**

**Ref No:** ST/0792/18/FUL  
**Proposal:** Change of use to the upper residential flat to a hairdressers  
**Location:** 8 Station Terrace, East Boldon, NE36 0LJ

**Site Visit Made: 04/09/2018**

### **Relevant policies/SPDs**

- 1 LDF CS A1 - Improving Accessibility
- 2 SA5 - Retailing Opportunities
- 3 DM1 - Management of Development (A, B, G & H)
- 4 DM6 - Heritage Assets and Archaeology
- 5 SPD6 - Parking Standards
- 6 SPD15 - East Boldon Conservation Area Management Plan - Adopted April 2009

### **Description of the site and of the proposals**

Planning permission is sought for the proposed change of use of an upper floor residential flat to a hairdressers at 8 Station Terrace, East Boldon.

No operational development is proposed as part of the proposed change of use of the premises. Application details state that the proposed business would employ four full-time equivalent employees. It would open 0900 hours until 1800 hours Monday to Friday and 0900 hours until 1700 hours on a Saturday.

On the adopted South Tyneside Local Development Framework (LDF) Site Specific Allocations proposals map, the application site is located within a local neighbourhood shopping centre. It is also positioned within the East Boldon Conservation Area.

The East Boldon Conservation Area Character Appraisal (February 2006) states the following:

*"Station Terrace is a parade of nine Edwardian local shops, some with original shopfront features (and an interesting later bank frontage to No. 1), and others with shopfronts and signs in materials and sizes which are not in keeping with the original character of the terrace. Original features appear to survive behind some of the later additions. Several of the parade's first floor bay windows are also original whilst others have been altered or repaired in modern materials and designs. The forecourt is an attractive focus with trees, but is cluttered by an un-coordinated collection of street furniture dominated by four large concrete flower tubs."*

### **Publicity / Consultations**

Neighbour notification expiry date 20/09/2018  
Consultation expiry date 20/09/2018 & 27/09/2018

#### **1) Neighbour responses**

East Boldon Neighbourhood Forum, 2 North Lane, East Boldon

No objections in principle, however the following comments are made:

- Access and parking – Station Terrace and the surrounding area is a very busy and well used area for traffic and pedestrians. The potential addition of cars for four employees and multiple customers would likely increase congestion and inconvenience to existing businesses and residential occupiers. The application does not provide any off-street parking, and parking in the

area already suffers (from metro commuters during the working day) – the proposal would exacerbate this situation.

- Planning policy:
  - There are currently eight hairdressing / barber / beauty businesses located in close proximity within East Boldon, plus a planning application for an additional hairdresser / beauty salon employing 15 staff. An additional hairdressing business would likely have negative impact on this aspect of the East Boldon shopping centre.
  - The change of use will reduce the already limited supply of flats and other affordable housing within East Boldon. They are important to provide a balanced range of housing within the village.
- Appearance of area – There is no information regarding the front access to the business and its appearance. Any changes made should not have a detrimental impact on the existing character of other shops and flats along Station Terrace.

#### Owner / Occupier of 7a Station Terrace, East Boldon

The following observations are made:

- Access and parking – Station Terrace and the surrounding area is a very busy and well used area for traffic and pedestrians. The potential addition of cars for four employees and multiple customers would likely increase congestion and inconvenience to existing businesses and residential occupiers. The application does not provide any off-street parking, and parking in the area already suffers (from metro commuters during the working day) – the proposal would exacerbate this situation.
- Planning policy:
  - There are currently eight hairdressing / barber / beauty businesses located in close proximity within East Boldon, plus a further planning application (Ref: ST/0643/18/FUL for a hairdressers nearby). An additional hairdressers would have a negative impact on the aspect of the East Boldon shopping centre.
  - The change of use is not justified as the loss of a residential home would add further pressure to the availability of house.
  - A business such as a hairdressers would have trade effluent and waste (containers, chemicals and human)
- Noise – We have enjoyed relatively little noise from businesses. The proposal would vastly increase the noise pollution via the party wall – due to the continuous daytime use of the premises from talking, movement of furniture, and other associated noise.

*Case Officer Comment: Planning application Ref: ST/0643/18/FUL is for a mixed use comprising a hairdressers and beauty salon (sui generis) at the former Suzuki Garage, along Station Approach, East Boldon. This application is yet to be determined.*

#### Owner / Occupier of 7 Glencourse, East Boldon

What are the changes? If it was a gym it could have loud music. Not easy to say whether I object without knowing the change.

*Case Officer Comments: The applicant was made aware that the proposal is for a hairdressers and not a gym. This is clearly stated in the planning application description.*

## 2) Other Consultee responses

### Traffic and Road Safety Team (as local highway authority)

Further information required:

- Check Supplementary Planning Document (SPD) 6 'Parking Standards' for parking provision for this type of development.
- Consult Parking Manager regarding impact within an already congested commercial area.
- More information required about parking area – the area looks small for two vehicles, plus a cycle and waste store.
- Based on the size / scope of the business a Transport Statement with junction modelling would not be required.

*Case Officer Comments: SPD would require similar maximum car parking standards and minimum cycle parking standards for the existing and proposed uses – see highway safety assessment below.*

### Parking Manager

No response provided

### Waste Services

Within the application for a change of use, the applicant has identified that they have not made provision for storage / collection / management of waste produced on site. The applicant should confirm how they intend to deal with their waste in line with the Duty of Care document. If the applicant requires waste collections, South Tyneside Council or other waste management company can provide this as a chargeable service.

*Case Officer Comments: The applicant has confirmed that a waste management company would be used to collect and dispose of waste. Waste Services were subsequently made aware of this and advised that the application would be processed on this basis.*

No objections raised.

### Environmental Protection

No objections in relation to noise emissions. This is an established mixed use area with a number of commercial premises located in close proximity to residential properties. The Council has not received any complaints of noise nuisance as a result of this mixed use. I am aware of an objection received regarding noise outbreak. However I do not believe that noise levels arising from the proposed use would warrant a refusal of the application. By its very nature a hairdressing salon will not produce excessive noise – any noise from talking and movement of furniture would not be significant, nor would they be different to any other uses of the property including the existing residential use.

*Case Officer Comments: Advised that although the application description states that the proposal is for a hairdressers, the use granted would be for a general A1 use. The hairdressers could therefore change to other A1 uses (general dealer shops / undertakers / travel agents / cold sandwich shops etc.) or even to A2 uses (financial services such as banks and building societies / estate agents / employment agents) without needing planning permission. Environmental Protection were asked for their comments in relation to these scenarios.*

Even taking into account other A1 and A2 scenarios, a condition restricting opening times would not be necessary.

No observations in relation to flood risk or contamination

## **Assessment**

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

The main issues relevant to the determination of this application are:

- The acceptability of the proposal in principle
- Design and visual impact (including impact on the character and appearance of the East Boldon Conservation Area)
- Impact on residential amenity
- Impact on highway safety

### **The acceptability of the proposal in principle**

The application site is within a local neighbourhood shopping centre. Adopted South Tyneside Local Development Framework (LDF) Site Specific Allocations Policy SA5 states that the Council will promote and encourage proposals that broaden the range of shopping facilities, to improve the vitality and viability of the Borough's district and other local neighbourhood shopping centres. It is considered that the proposal would complement the existing vitality and viability of this local neighbourhood centre.

Paragraph 86 of the National Planning Policy Framework (NPPF) (July 2018) states local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date plan. The glossary to NPPF states that references to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance.

A proposed hairdressers would be a use falling within Use Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended). It would therefore be a main town centre use as defined in the glossary to NPPF. However given the minor nature of the proposal, it is considered that a sequential test would not be necessary. In any case given that the proposal would complement the existing vitality and viability of this local neighbourhood centre, it is considered that it would accord with adopted South Tyneside LDF Site Specific Allocations Policy SA5.

### **Design and visual impact (including impact on the character and appearance of the East Boldon Conservation Area)**

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise (with respect to any buildings or other land in a conservation area) of any functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

No external alterations are proposed. It is considered that the proposal would preserve the character and appearance of the East Boldon Conservation Area and overall would convey sensitive consideration to its surroundings. It is considered that the proposal would accord with adopted South Tyneside LDF Development Management Policies DM1 (A) and DM6 and the associated Supplementary Planning Document (SPD) 15 'East Boldon Conservation Area Management Plan'.

### **Residential amenity**

The application site is positioned within a local neighbourhood shopping centre where there is commercial activity throughout the terrace at ground floor. Whilst the proposal would change the use of a first floor flat, the ground floor of the premises is in a commercial use (a shop). Nearest residential

accommodation are first floor flats on either side of the application premises. The owner / occupier of 7a Station Road has raised concerns regarding the proposal, including in relation to noise pollution that would occur through the party wall (see their consultation response above).

Whilst the concerns of the occupier of 7a Station Terrace are noted, the Council's Environmental Protection Officer has raised no objections to the proposal in terms of noise emissions from the premises (see their consultation response above) – stating that the very nature of the proposed use in this mixed use location would have no unacceptable impacts on the amenities of the occupiers of any neighbouring properties in relation to noise emissions.

The proposal is to open until 1800 hours Monday to Friday and 1700 hours on a Saturday. However hairdressers in general do not open late. Even if the proposed hairdressers was to open later than the hours specified on the planning application form, it is considered that this would be acceptable in this local neighbourhood centre where there is already late night activity (Sainsburys opens until 2300 hours daily).

It is possible that in the future the proposed hairdressers could be changed to a different A1 use (such as a general dealer shops / undertakers / travel agents / cold sandwich shops etc.) or even to an A2 use (a financial service such as a bank or building society, or to estate agent / employment agents) under permitted development (a change to an A3 use would be controlled under the permitted development prior approval regime). However it is considered that other A1 and A2 uses at the site would also be acceptable. It is therefore considered that conditions to control the specific proposed use of the premises as a hairdressers, and to control opening hours, would also not be necessary in relation to any future A1 / A2 uses. The Council's Environmental Protection Officer has raised no objections to this.

Given the nature of the proposal and its position within a local neighbourhood centre, it is considered that it would have no unacceptable impacts on the amenities of the occupiers of any neighbouring properties. It would therefore accord with adopted South Tyneside LDF Development Management Policy DM1 (B).

#### Highway safety

The Council's Traffic and Road Safety Team (the local highway authority) have raised no objections to the proposal in relation to its impact on highway safety, although they have stated that further information is required regarding the availability of car parking to the rear of the application site. They have stated that this area appears to be small to accommodate two vehicles, plus cycle and bins storage.

Representations have been submitted raising concerns regarding existing congestion problems on the highway, and that the proposal would exacerbate this situation.

Whilst the comments from the Council's Traffic and Road Safety Team (the local highway authority) and the concerns raised in representations are noted, the Council's Supplementary Planning Document (SPD) 6 'Parking Standards' provides a higher maximum parking standard for the existing lawful use than for the proposed use. The maximum for a flat is two spaces plus one space per three visitors, whereas the maximum for the proposed hairdressers is two spaces. Although there are parking pressures in this area, there is no evidence to suggest that the existing flat causes any highway safety concerns in terms of congestion on the highway. Given that the maximum standard is lower for the proposed use, there is also no evidence to suggest that this use would cause any highway safety concerns in terms of congestion on the highway.

SPD6 would require a maximum of two cycle parking spaces within the application site. It is considered that these could be accommodated within the curtilage of the application premises.

The application site is in a sustainable location (within walking distance of East Boldon Metro Station and local bus services). Given this sustainable location, and the existing lawful use of the application site, it

is considered that adequate car parking and cycle storage space would be provided within the application. The proposal would therefore cause no highway safety concerns. It is therefore considered that the proposal would accord with adopted South Tyneside LDF Core Strategy Policy A1 and the associated Supplementary Planning Document (SPD) 6 'Parking Standards and adopted South Tyneside LDF Development Management Policy DM1 (G & H).

### Other Matters

Concerns have been raised in representations regarding the number of hairdressers, barber shops and beauty businesses within close proximity in East Boldon, including the fact that another planning application has been submitted for a hairdressers nearby. Whilst these concerns are noted, it is considered that an additional hairdresser would have no unacceptable impacts on the East Boldon local neighbourhood centre. Hairdressers, barber shops and beauty businesses are daytime uses which have a positive impact in terms of shopping centre vitality and viability. If concerns relate to competition, this is not a material planning consideration.

Concerns have been raised in representations regarding the loss of a flat (and so the loss of an affordable unit) within East Boldon. Whilst this concern is noted, it is considered that the loss of a single flat would have no unacceptable impacts on the broader balanced range of housing within the village.

Concerns have been raised regarding waste from the proposed use. However it is considered that any waste produced would be similar to other A1 uses elsewhere within the terrace, and could be stored within the application site (within the rear garage). The applicant has confirmed that waste would be collected and disposed of by a waste management company which is acceptable. To ensure that waste bins are stored within the rear garage of the application site, and not within the area to the front of the property which is not maintained by the Council, a condition is recommended to require that the rear garage be made available for bin storage for the lifetime of the development, and retained henceforth.

### Summary

For the reasons articulated above it is considered that the proposal would be in accordance with development plan policy, and so would be an acceptable form of development.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

### Recommendation

Grant Permission with Conditions

### Conditions

- 1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

- 2 Prior to the development hereby permitted being brought into use, the refuse storage area within the rear garage, as shown on the drawing titled 'Site Location Plan' received 23/08/2018, shall be made available for use, and then be retained henceforth for its designated purpose. Refuse shall only be placed outside of the curtilage of the premises on days of awaiting collection.

To ensure a satisfactory form of development in the interests of amenity, in accordance with

**Informatives**

1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework to seek to approve applications for sustainable development where possible.

2 NOTE TO APPLICANT

The applicant is advised that any new signage may require advertisement consent. Further information regarding this is available via the planning portal - [www.planningportal.co.uk](http://www.planningportal.co.uk).

**List of approved plans for standard note**

**Plan Reference**

23/08/2018

**Case officer: David Rogerson**

**Signed:**

**Date:**

**Authorised Signatory:**

**Date:**