DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/1016/17/FUL
Proposal: Change of use to a mixed use comprising an Aesthetics Clinic and Beauty/Hair aspects.
Location: 41A East View
Boldon Colliery
NE35 9AU

Site Visit Made: 09/01/2018

Relevant policies/SPDs

1 DM1 - Management of Development (A, B, G)

2 SA5 - Retailing Opportunities

3 SPD6 - Parking Standards

Description of the site and of the proposals

This application relates to a unit within a single storey building attached to the northern end of a terrace on East View. The single storey building was subdivided into two retail units (A1 use) in August 2016; No. 41 and No. 41a. Planning permission was not required for this. This application relates to No. 41a East View which is currently a vacant unit with a use class of A1. The unit is located on East View in Boldon Colliery, a mixed use street comprising of a number of commercial and residential properties. To the north of the site there is a car parking area, however this is privately owned and has no connection to the applicant or the site. There is a rear lane to the west of the site, however this is also privately owned and is not part of the adopted highway.

This application seeks full planning permission to change the use of one of the retail units from A1 use to a Sui Generis use comprising of an Aesthetics Clinic with Beauty and Hair aspects. The applicant has provided further information regarding the nature of the proposal by way of email stating that it is proposed to have 4no. treatment rooms and 2no. LED light tanning rooms with a reception area to the front of the property. No internal layout plan as proposed has been submitted to reflect this however. Nevertheless it is considered that the internal subdivision of the unit into separate rooms could be carried out without planning permission and so such a plan is not required.

The treatment rooms would have appointments running throughout the day ranging in length from 15 minutes to 3 hours duration. The tanning rooms would be on a walk-in basis with each session running for 10 minutes. 40 to 50 appointments would be expected during the course of a typical day across the range of treatments and services available within the premises. A maximum of 5no. staff would be based on site; 2no. full time and 3no. part time. The application does not propose any additional car parking. The unit would be open from 0900hrs to 1700hrs Monday to Saturday and would be closed on Sundays and Bank Holidays.

Planning History

None

Publicity / Consultations (Expiry date 23/01/2018)

1) Neighbour responses

94 Turner Street, South Shields

1no. letter of objection received raising the following point:

- There are already a number of established businesses providing the same things in the Boldon area. Boldon does not need another hairdresser's shop.

Mono Hair Design, 36 East View, Boldon Colliery

2no. letters of objection from 2no. objectors received, raising the following points:

- Within this street there are 3 hair salons, 4 barbershops and 4 beauty salons. There is absolutely no need for yet another hair/beauty salon. There is insufficient business in the area. We need different businesses in the area.
- "The parking situation"
- The infrastructure of the road system cannot cope with more traffic
- The proposal will not benefit the community or environment in any way
- The number of employees does not justify planning permission being given
- The existing businesses providing the same services will be put under financial strain which may lead to job losses.

13 Church View, Boldon Colliery

1no. letter of objection received stating the following points:

- The infrastructure of the roads cannot cope with another business of this type.
- There are not enough parking spaces to facilitate the cars
- Our area does not need another business of this type as we have 11 businesses providing the same services within a small radius.

Other Consultee responses

Environmental Health – Pollution

No objections

Environmental Health – Land Contamination

No objections

Environmental Health – Flood Risk

No objections

Traffic and Road Safety Team

Recommend Approval

- No issues from traffic or highway adoption.
- Planners to check SPD6 requirements are met
- The Council's Parking Team may wish to comment on any increase in traffic to the area.

Parking Team

The Council's Parking Manager does not support the proposal and offered the following comments:

"North Road and East View used to have a Resident Permit parking scheme, due to the pressure on the parking in this very location. As the area declined as a shopping centre the scheme was removed at the residents request in 2010. My concerns are that as a chemist the majority of customers would be foot based whereas this type of business is more likely to be car borne."

Assessment

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

The main considerations when assessing this application are the impact upon residential and visual amenity; highways and parking; and pollution.

The originally submitted site location plan showed No. 41a within the red line boundary (although labelled as No. 41 this is incorrect and it is actually No. 41a). Neighbouring properties were notified of the application based upon this location plan. The applicant subsequently submitted a revised site location plan. The red line boundary did not change, however No. 41 to the north of the site was outlined in blue. As the red line boundary did not change it was not considered necessary to re-notify neighbouring properties.

Acceptability of the proposal in principle / town centre impact

The application site is located within a main (district) 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.

Paragraph 24 of the National Planning Policy Framework (NPPF) 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 Local 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.

The unit is not in a prominent location within the main (district) shopping centre. A number of representations have been received regarding there being a number of existing hairdressing or similar units within the area. In this case the proposal would be for a main town centre use positioned within an existing 'town centre' as defined by NPPF (a district shopping centre). It is considered that the proposal (that would likely to be operational during day-time hours) would improve the vitality and viability of this shopping centre. The proposed use within this sustainable district shopping centre location would therefore be acceptable in principle, notwithstanding any adverse impacts that would be experienced (as discussed below).

Impact on Residential and Visual Amenity

The site is located on East View which hosts a number of terraces containing businesses at ground floor level and residential accommodation at first floor level. There are also some two storey dwellings in the terraces. The retail unit is one of two situated in a single storey offshoot to the northern end of one of the terraces with a small car parking area to the north. There are no residential properties above. Given the mixed use nature of the area, it is not considered that the change of use would result in a significant further detrimental impact upon the residential amenity of the area and surrounding residential properties.

There would be no external changes to the retail unit and so it is not considered that the change of use would adversely impact upon the visual amenity of the area.

Impact on Highways and Parking

Supplementary Planning Document 6 sets out maximum car parking standards for different types of development. Local Development Framework Policy DM 1 seeks to ensure that the impact of the development is acceptable in relation to highway capacity and safety or includes proposals to mitigate any adverse impacts. As the proposed use would be a Sui Generis use, no specific parking standards have been set out.

The Council's Traffic and Road Safety team have no objections to the proposal. The Council's Parking Manager has been consulted on this application and objects, noting that car parking in the area is currently heavily oversubscribed, especially given that the area is of a mixed use area with residential properties alongside commercial properties.

Whilst the concerns of the Parking Manager and local residents are noted, there is no evidence to suggest that the proposed use would result in a significant further level of traffic than an A1 use which could be implemented without planning consent. Indeed it would be reasonable to suggest that some A1 uses, such as a small supermarket, would generate considerably more custom and traffic than the proposal. The proposal would employ 5no. staff, 3no of which would be part time. It is considered that an A1 use at the site could employ the same number, if not more, staff.

Given the nature of the business it is considered likely that a significant number of customers would visit during a typical day. The applicant has stated that appointments would vary in length from 15 minutes to 3 hours duration, with 40 to 50 appointments anticipated on a normal day. However, there is ample public car parking in the area, with a number of demarked spaces and lay bys on East View, and further unrestricted public car parking on surrounding streets such as Reginald and Arnold Street. At the time of the Case Officer's site visit, which was mid-afternoon, there were a number of available spaces in the area. It is considered that given the number of appointments per day and the floor space of the property,

there would be significant turnover of clients at the property (ie it is unlikely that there would be 40 clients at the property at one time), which would furthermore reduce any potential impact upon parking in the area.

For those not choosing to travel via car, the site is located within a highly sustainable location, with a number of bus stops in close proximity. This would be in accordance with SPD 6 which supports sustainable travel.

Having regard for the above, given the ample parking provision in the vicinity and the highly sustainable nature of the location, it is considered that the proposed development would have no further detrimental impact upon parking and highway safety in the area than an A1 use at the site and therefore it is considered acceptable in this regard.

Impact on Pollution

The change of use proposes no external plant or equipment. The Council's Environmental Health Officer has been consulted with regard to potential pollution and has no objections. The Council's Environmental Health team have been consulted and do not consider that there is any risk regarding contaminated land.

Other Issues

Objections have been received regarding there already being a number of hairdressing businesses in the area. It is noted that two of these objections originate from an existing hairdressing salon. Issues regarding business competition are not material planning considerations and so cannot be taken into account during the determination process. There is no planning policy to stop the proliferation of businesses of a similar type, with the exception of Policy DM 3 which concerns hot food establishments, which the proposed use is not.

Summary

In conclusion the proposal would comply with all relevant local and national planning policy. Having regard for all of the above the application is therefore recommended for approval.

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.

Informatives

1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework (paragraphs 186 & 187) to seek to approve applications for sustainable development where possible.

Case officer: Seán Gallagher
Signed:
Date: 05/03/2018

Authorised Signatory:
Date:

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