Development Management – Delegated Officer Report

Application Number: AWDM/0838/17 Recommendation – APPROVE

Site: Unit 3 The Co-Operative Complex Ham Road, Shoreham-By-Sea

Proposal: Change of use from former pizza takeaway to tanning and beauty salon.

Date of site visit: 20.06.17

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to a currently vacant, single storey commercial unit within a small pedestrianised commercial complex adjacent to the Co-Op super market adjacent to Ham Road near Shoreham-By-Sea town centre.

The site is located within a primary shopping area within the Submission Adur Local Plan Policies Map.

Proposal

Permission is sought for a change of use from a pizza takeaway A3/A4 use to a tanning and beauty salon 'sui generis'. The tanning process will be by way of sunbeds, and the operating time of the use will be from 1000 to 2000 Monday to Saturday and 1100 to 1600 Sundays and bank holidays. Customers walk in and pay for a sunbed. Consent also includes the use as a beauty salon. Although initially the applicant proposes to provide a tanning service with cubicles shown on the submitted floor plans they would like scope to provide ancillary beauty services from the premises.

The submitted floor plan shows 6 no. tanning cubicles, a reception desk and sofa (waiting). Stairs from the ground-floor lead down to a lower ground floor containing stores and toilets. The lower ground is also accessed externally from the rear.

Consultations:

Environmental Health: *In general terms we have no objection to the change of use. However given the proposed use class of Sui Generis also includes a number of other uses which have potential to disturb residents on the other side of the road I would request that if possible the use should be restricted to that of a tanning salon. This would protect residential amenity in the case of future changes.*

West Sussex County Council: - Highways Authority: - From experience of similar change of use proposals it would not be anticipated that this application would materially increase the number of vehicular movements being associated by the site. It does not appear that the unit is afforded any allocated off street car parking provision for staff or customers. However the site is located in a sustainable town centre location within close proximity to existing paid for parking provisions.

The LHA does not consider that the proposal would have 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 32), and that there are no transport grounds to resist the proposal.

Representations: None received

Relevant Planning Policies

Saved Local Plan policies (ADC 1996): AS1, AE6
Submission Adur Local Plan 2016: Policy 11. 15
Adur Local Plan Main Modifications June 2017: Policy 11
National Planning Policy Framework (CLG 2012)
National Planning Practice Guidance

Planning Assessment

Principle of Proposed Use

The Submission Adur Local Plan 2016 has now been through Examination, and the Inspector has put forward Modifications to this plan which are now out to consultation. In as far as this application is proposed Policy 11 of the Main Modifications June 2017 is of most importance, as it acknowledges that other uses will be acceptable in retail shopping areas, specifically those in the health and beauty sector (Class D1) which can contribute to vitality.

While the policy, as amended, does not specifically mention 'Sui Generis' uses, (such as that proposed here) it is considered that this specific tanning salon use would bring similar benefits to the town centre as D1 health and beauty uses in terms of footfall and vitality. As a result, it is not considered that the proposal would have a detrimental impact on the vitality and viability of the town centre and would therefore not conflict with the objectives of Policy 11. As the unit is currently vacant a commercial usage would be of benefit here in this location.

While Policy AS1 of the Adur Local Plan 1996 supports A1 and A3 uses, it also states 'Development which involves loss of existing shopping provision (Use Classes A1 and A3) will not be permitted if the proposal is likely to detract from the character and vitality of the area.' For the reasons set out above, it is not considered that the proposal would detract from the vitality and character of the area and therefore it is not considered that the proposal would conflict with this policy.

Visual Amenity

The proposal will not alter the visual amenity of the town centre as it will still have a shop frontage and it will be open to visiting members of the public.

The shopfront windows will remain (one either side of the main entrance door) and a condition on any approval to prevent the user 'closing' the window in some form i.e. by obscure glazing or excessive vinyl coverage, would be appropriate to protect the commercial 'active frontage' within this commercial, primary shopping area.

Residential Amenity

There are residential properties opposite the site to the north in Ham Road, but it is not considered that the proposed use will affect those units in a negative manner. The hours of opening proposed are acceptable and relate to the adjacent super market opening hours.

It is therefore considered that the use of the shop for a tanning and beauty salon will not result in more of a negative impact upon residential amenities than currently exist. Addressing the concerns set out above by the Environmental Health Officer with regards to this consent giving rise to other sui generis uses that could be detrimental to residential amenities. The use here is restricted to that in the application description and a condition is attached to safeguard against any other uses occupying this commercial premises in the future.

Highways Matters

West Sussex County Council has given their views as set out above. There would be no adverse impact upon the existing highway network or highway safety implications. The site is in a sustainable location close to the town centre.

Recommendation

APPROVE

1. Approved plans
2. Standard time limit
3. Prevention of loss of shopfront
4. The premises shall be used as a tanning and beauty salon only. This consent does not permit any other sui generis uses to occupy the commercial unit at any time unless written consent has been given from the Local Planning Authority.

Informative

1. Approved without modification.

Is recommendation contrary to letter(s) of representation? N

Case Officer: Hannah Barker Date: 3rd July 2017

Authorised by: Jo Morin Date: 10.07.2017