Development Control – Delegated Officer Report

Application Number: AWDM/0648/17 Recommendation – APPROVE

Site: 53 High Street, Shoreham-by-Sea, BN5 9YH

Proposal: Change of use from Use from Use Class A1 (shop) to Use Class 'Sui Generis' (tanning salon)..

Date of site visit: 18.05.2017

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to a vacant, ground-floor commercial lock-up unit (65.79sqm) within a 3-storey block, the ground floor being the commercial, mainly A1 retail use, and the upper two floors being residential flats (1-8 Riverside House). The shop faces the A259 to the north and Town Quay is located close by to the east. A further block of flats (9-14 Riverside House), is directly behind the application block to the south which faces the River Adur, a further vehicular access/quay is located to the west of the block which serves a further block of shops and flats over (Britannia House).

The site also lies within the designated Shoreham Conservation Area

The site is located within a secondary frontage (block 8) on the Submission Adur Local Plan Policies Map

Proposal

Permission is sought for a change of from a retail use (A1) to a tanning salon 'sui generis'. The tanning process will be by way of sunbeds, and the operating time of the use will be from 0900 to 1930 Monday to Saturday. Customers walk in and pay for a sunbed.

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:

Planning Policy:

"The emerging Adur Local Plan is at the Examination stage and we have recently received the Inspector's preliminary findings and proposed Main Modifications. Therefore I consider that the Adur Local Plan is sufficiently progressed as to warrant a material consideration in the determination of planning applications.

The application site (53 High Street, Shoreham) is located within a secondary frontage (block 8) on the Submission Adur Local Plan Policies Map. The relevant Submission Adur Local Plan policy is Policy 11: Shoreham-By-Sea and within this secondary frontage the policy allows for A1, A2, A3, A4 and A5 uses. It should also be noted that the Inspector's Proposed Main Modifications to the Adur Local Plan (May 2017) include amendments to this policy to also include appropriate D1 uses (i.e. uses within the health and beauty sector which contribute to the vitality of town centres). The Council supports this modification. While the policy, as amended, does not specifically mention 'Sui Generis' uses, 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.

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, I do not consider 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.

The Planning Policy section therefore raise no objection to this planning application".

Environmental Health: No adverse comments

Representations: Adur District Conservation Advisory Group: Approve

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.

Although the proposed tanning salon does not fall within any specific use class it is considered it would have similar characteristics to other health and beauty uses and would contribute to the vitality of the town centre.

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 shop window will remain 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

Residential Amenity

There are residential units over the shop units, but it is considered that the proposed use will not affect those units in a negative manner, indeed there might be an improvement, as the use may not require the amount of deliveries each day that a retail unit would likely have.

There will be a ventilation fan to vent the area to prevent heat build-up from the sun beds, but retail uses could also have a need for plant/equipment (e.g. if the shop were to be selling food there may be condenser units for the cold storage on the site).

It is therefore considered that the use of the shop for sun bed tanning will not result in more of a negative impact on the residential amenities than currently exists, and may well be a positive use.

Recommendation

APPROVE

1. Approved plans
2. Standard time limit
3. Prevention of loss of shopfront
4. Details of extraction

Informative

1. Approved without modification.

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

Case Officer: Eve Hearsey Date: 22.06.2017

Authorised by: Jo Morin Date: 22.06.2017