DELEGATED APPLICATIONS

ASSESSMENT SHEET

APPLICATION NO/ADDRESS: 11/0076 – 82 Ham Road

DATE OF SITE VISIT: 22/3

NEIGHBOURS CHECKED: Y

ADDITIONAL NEIGHBOUR NOTIFICATIONS (LIST ADDRESSES): None.

SITE AND SURROUNDINGS:

Semi detached shop unit on the east side of Ham Road with three bedsits in an extended rear ground floor and a separate flat above. The shop unit is partitioned centrally to have a separate treatment room off a reception/manicure area. There is a separate WC/shower room off the treatment room.

The site sits within the core frontage of the Ham Road local centre.

PROPOSAL

Permission is sought to use this shop as a beauty salon. The use commenced two weeks ago. Prior to this the unit had been vacant since 2008. The application is described as being for a sui generis use, as most beauty salons are, but the Land Use Gazeteer also suggests they can be A1. The intended use will offer facial treatments, manicures, pedicures and waxing treatments, which in my view would take it into the sui generis use class. There will also be a retail element to the business in the sale of beauty products though this element does not appear to have commenced yet.

RELEVANT PLANNING HISTORY:

10/1020 – Construction of one, single storey detached self contained studio dwelling in rear yard with access from the twitten. Refused 10.2.11

08/0332 – Extension, alterations and conversion to three bed sitting flats. Granted 2.6.08

08/0045 – Extension and alterations including conversion of existing flat to provide 3 no. studio flats with bin and cycle stores. Withdrawn 28.2.08

00/00423 – single storey rear extension to provide one self contained ground floor flat at rear. Refused 19.6.00

99/00258 – Change of use of ground floor from Class A1 to Class A2. Granted 10.5.99

RELEVANT PLANNING POLICIES:

RES7, BE1, H18, TR9 and S11 of the saved Local Plan.
BE1, T4, CC1 and CC6 of the South East Plan
PPS1 Delivering Sustainable Development
Policies 6 and 16 of the Submission Core Strategy

REPRESENTATIONS AND RELEVANT CONSULTATION RESPONSES:

No letters from neighbours received.

Health: '*Given that only pedicures and manicures are to be offered and no acrylic nail work to be undertaken then external ventilation equipment will not be necessary. As only one member of staff is on site a single WC off the treatment room is acceptable. This would need to be reviewed if additional staff were employed. No objection.*'

HUMAN RIGHTS:

First Protocol (Protection of Property) of the Human Rights Act 1998 is relevant to this application. It is accepted that the proposal, if approved, would have some impact on the neighbouring properties. However, it is considered that the level of development proposed would not cause undue harm in terms of additional noise, disturbance and loss of privacy and that, on balance, existing residential quality of life would not be adversely affected as a result of the proposal. Accordingly it is considered that it is acceptable with regard to Article 8 and Article 1.

PLANNING ASSESSMENT:

Policy S11 of the saved Local Plan states that A1 uses are the preferred use within the retail core of local centres. A2 and A3 uses may be acceptable where no significant adverse effect is caused to occupiers of neighbouring properties; the proposal does not intensify parking problems and the use does not extend a block of non-retail uses with a frontage of more than 20 metres or result in the proportion of non-shop uses within the retail core exceeding 35%.

It goes on to say that uses other than A1, A2 and A3 will not normally be permitted within the retail core. However, other uses which would enhance the vitality and viability of a shopping centre may be permitted.

The beauty salon use is a quasi retail/local centre use. Prior to the current applicant's occupation the unit had been vacant for three years and was in a poor state of repair. The applicant has invested money in this property. The units reuse as a beauty salon has not only improved the appearance of the unit and thus the parade but has added a compatible sui generis use to the centre. The use is not harmful to residential neighbours as no solvents are used on site and the hours of operation, six days a week, are typical working hours.

The use does not result in block of non-retail for more than 20 metres. No. 76 is a hairdressers and No. 90 is a pharmacy. The 2007 retail study of this parade identified that 76% of it was in retail use with a vacancy rate of 28%. This beauty salon use will not take non retail uses beyond 35%.

It is considered that the proposed use is compatible with this retail core frontage and has added vitality to the parade. It will not generate more traffic than a typical retail unit or be more unneighbourly than one either. As such it is not considered to be contrary to saved policy S11.

RECOMMENDATION

Grant subject to conditions.

1. Approved Plans
2. No acrylic nail work
3. Hours of use 8am to 6pm Mon - Sat

REASONS FOR RECOMMENDATION:

The proposal complies with the relevant policies of the Development Plan.

IS RECOMMENDATION CONTRARY TO LETTER (S) OF REPRESENTATION? No.

DELEGATED

Case Officer sign..... .....Date.....

Authorising Officer sign..... Date....30/3/11.....