Development Management – Delegated Officer Report

Application Number: AWDM/1042/23 Recommendation – APPROVE

Site: 12 North Road, Lancing, BN15 9AE

Proposal: Change of use from Class E to a Nail Parlour (Sui Generis)

Date of site visit: Assessment has been assisted using the Applicants plans; Earthlight mapping; and Google 3D of the site

Neighbours checked: Y

Additional neighbour notifications: N

Site, Surroundings and Proposal

The application site is located on the east side of North Road, Lancing, and is within the commercial town centre. It is a middle of terrace, although externally it is clear that it has been built at a different time to its adjoining neighbour to the north. It is also located close to (less than 50m), the Lancing Railway Station to the north.

No. 12 is a 2 ½ storey building with commercial use on the ground floor and residential over. There is a door on its north elevation which appears to be the entrance to the first floor residential use. The shop unit itself has a glazed panel and a glazed door at its entrance.

The site is located with the Primary Retail Frontages (policy 9); Town Centre Block 2 (policy 9); and the Town Centre Boundary (policy 27); the Primary Shopping Area (policy 27).

The Proposal:

The application seeks planning permission for a change of use of the ground floor from Class E to a Nail Parlour (Use Class Sui Generis).

Planning History

AWDM/0625/17 - Change of use of shop and offices to shop on ground floor, 1 x 1 bed flat on ground and first floors and 1 x 2 bed flat on first and second floors with balcony at rear second floor - approved

Consultations:

Planning Policy: No particular concerns about this site. This kind of use is prevalent in such locations and as a personal service, brings people into the area.

Env. Health Private Sector Housing: No comment

Env. Health Public Health & Regulation: 1st response:

Please confirm if the nail salon would be offering acrylic nails as a service. If yes, our concern is the use of solvents for this treatment. Therefore a form of extraction would be required and the applicant would need to indicate where on the building the extraction would be vented externally.

We would also need to be satisfied that the separation between the ground floor unit and the first floor residential property is properly sealed in order to reduce the likelihood of residual solvent odours affecting residential amenity.

Env. Health Public Health & Regulation: 2nd Response:

Thank you for the additional information. We have no objection to this application based on the air quality control plan.

WSCC Highways:

No vehicular access or parking is associated with this site. The proposed change of use to Nail Parlour is not anticipated to give rise to a material intensification of movements to or from the site.

Parking would be accommodated on-street as per the existing arrangement. The Local Highways Authority does not anticipate that the nil car parking provision would give rise to a highway safety concern or parking capacity issue in this location. The site is sustainably located, being accessible on foot, bicycle, or public transport.

In summary the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in severe cumulative impacts on the operation of the highway network, therefore is not contrary to the NPPF (para 111), and that there are not transport grounds to resist the proposal.

Representations: None received

Relevant Planning Policies

Adur Local Plan 2017 Policy 1, 15, 9, 27
National Planning Policy Framework 2021

Relevant Planning History: None

Planning Assessment

There is no objection in principle to the proposed change of use to a Nail Parlour within the Primary Shopping area. The key concerns are the effects on the retail uses within the area

Residential and Visual Amenity

Policy 9:

…The shopping area along North Road will be strengthened through restricting non-retail uses, while allowing a more flexible approach to uses at ground floor level along South Street.

…Within ….Block 2 the following uses will be acceptable at ground floor level, subject to compliance with other relevant policies:

Shops
Food and drink etc.
Non-res institutions
Any other uses will be resisted.

Policy 27: Retail, Town Centres and Local Parades.

Amongst other things, the policy states that:- *"……In the areas designated as local shopping parades, shopping and other town centre uses will be supported at ground floor level but a predominant shopping use (as defined in the Town and Country Planning (Use Classes) Order 1987 as amended) on ground floor premises will be retained. Where proposals would result in there no longer being a predominant shopping use, this will only be acceptable where it can be demonstrated that retail is no longer a viable use in that unit, particularly where it has remained vacant for a long period (normally a minimum of one year) and that reasonable attempts have been made to market it for retail purposes."*

Subsequent to the above policies being adopted, there has been the introduction of changes to the Town and Country Planning (General Permitted Development) (England) Order 2015. Specifically the introduction in Use Class E which came into force in 2020 which now covers the former use classes of A1 (shops), A2 (financial and professional), A3 (restaurants and cafes) as well as parts of D1 (non-residential institutions) and D2 (assembly and leisure), and puts them all into the one new use.

The new use class includes a broad and diverse range of uses which principally serve the needs of visiting members of the public and or are suitable for town centre area.

Until the adopted Adur Local Plan policies have been reviewed, they are still in place, however, it is clear that the changes to the use classes order will carry more weight than the current Local Plan policies. While a sui generis use, a nail bar broadly fits in with the categories referred to above in being appropriate for a town centre.

There has not been any objection to the application following consultation with the policy team, who state that this kind of use is prevalent in such locations and as a personal service, brings people into the area.

The application forms show the hours of use to be:-
Monday to Friday 0900 – 1900
Saturday 0900 – 1900
Sunday/Bank Holiday 1100 – 1700

No objections have been received from consultees or neighbours regarding the use or the hours of operation, and the use will be taking place within the town centre location, which is appropriate for such a use.

Recommendation

APPROVE

1. Approved plans
2. Standard time limit
3. Hours/days of use
4. Comply with Air Quality Plan

Informative

1. Approved without amendments

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

Case Officer: Eve Hearsey Date: 28.09.2023

Authorised by: Peter Barnett Date: 28 September 2023