Expiry Date - 29/07/2024

Development Control – Delegated Officer Report

Application Number: AWDM/0694/24 **Recommendation – APPROVE**

Site: **10 Littlehampton Road Worthing West Sussex BN13 1QE**

Proposal: **Change of use from Class E (retail) to nail salon (Sui Generis)**

Date of site visit: 08/07/24

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site is located to the north side of Littlehampton Road, close to the busy junction with the A2031 and within a Neighbourhood Shopping Centre. The unit is located on the ground floor of a three storey property with brick upper elevations and a pitched roof. The building has a mixed use of commercial at ground floor and residential flats above accessed from an external staircase at the rear. The adjacent commercial unit at ground floor is occupied as a micro pub 'The Fox & Finch'. The application unit is currently vacant but was previously occupied by a retail shop.

To the east is a three story block occupied by an estate agents at ground floor with offices above. There is a mixture of uses in the local parade including café and large public house/restaurant, legal services, print shop, barbers, locksmiths etc. Further to the west, detached from the building is a modern three storey block of residential flats with rooms in the roof space.

The site is not within a conservation area and is not a listed building.

Proposal

Planning permission is sought for a change of use from Class E – Retail to Sui Generis – Nail Salon.

The salon will be run by the applicant's wife and her cousin and will offer treatments such as manicure, pedicure, gel colours, powder gel, acrylic powder etc. At present four manicure desks and 2 pedicure chairs are proposed.

There would be no changes to the existing layout or external elevations and access would remain via the front door.

The proposed opening hours are Monday to Saturday 9am to 18.30pm.

Ventilation for the unit would be provided by the following:

- EZONE Industrial wall mounted extractor fan 12" quiet commercial
- IQ Air GC MultiGas Air Purifier
- BV300 BenchVent - Vented manicure desk

Full details and technical specifications have been provided by the applicant.

The application has been amended to revise the position of the proposed extractor fan from the front shop window to the side wall.

Relevant Planning History:

None relevant

Consultations:

Environmental Health **-** Further to the details provided for ventilation to be installed at the premises. I am satisfied that the proposed ventilation will be sufficient in ensuring that there is adequate airflow using the products specified below.

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.

WSCC Highways - The site is located on Littlehampton Road, an A-classified road subject to a speed restriction of 30 mph in this location.

No vehicular access is associated with this site, whilst pedestrian access will remain as existing. The LHA does not anticipate that the proposed change of use to Nail Salon would give rise to a material intensification of movements to or from the site.

No vehicular parking is proposed. As such, parking would have to be accommodated on-street, as per the existing arrangement. There are comprehensive parking restrictions in place on nearby roads prohibiting vehicles from parking in places that would be detrimental to highway safety. The LHA does not anticipate that the proposed nil car parking provision would result in a highway safety concern or parking capacity issue in this location, but the LPA may wish to consider potential amenity impacts.

The site is situated in a sustainable location that is well accessible on foot, by cycle or via 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 National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

WSP - Following a review of the submitted information, we have no objection on surface water grounds. Due to the site, size, location, and type of development we would recommend the approval of the application.

Southern Water - Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

Representations:

One representation supporting the application.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5, DM13, DM22
National Planning Policy Framework (DLUHC 2023)
National Planning Practice Guidance

Planning Assessment

Principle

The principle of change of use is acceptable where it will not harm the vitality or viability of the local centre or cause harm to residential amenity. The key considerations are the effects on the visual and residential amenities of the locality and the vitality and viability of the local centre.

Policy Context

The unit is located within the Thomas A Beckett Medium Scale Local Centre. The preamble to Policy DM13 of the Worthing Local Plan states:

5.191 The focus for Medium Scale Local Centres is to retain retail use but greater flexibility and support is given to other uses that can support the role and function of the centres and where they will enhance the vitality and viability, generates footfall and retains a shopfront display.

Policy DM13 - a) The Local Plan will support the vitality and viability of Worthing's town centres by seeking to meet the identified floorspace needs for retail and other town centre uses up to 2026.

b) Changes of use and redevelopments within town, district and local centres will be carefully controlled to ensure that they support, rather than detract from, the successful functioning of the centres and their ability to meet local needs, according to their function in the hierarchy. When considering all such proposals regard will be had as to whether they would:

i) Make a positive contribution to the vitality, viability and diversity of the centre;

ii) Not unacceptably impact on daytime footfall;

iii) Maintain a strong role for the centre in providing a varied range of Worthing Town Centre convenience goods and meeting other day-to-day needs;

iv) Positively restore and/or enhance the character and appearance of the frontage;

v) Maintain the continuity of active frontages;

vi) Be of a scale and type of use appropriate to the size and function of the centre, or part of the centre concerned;

vii) Ensure that any proposal will cause no significant adverse effects for the occupiers of neighbouring properties;

viii) Ensure that that there will be no severe negative impact on existing parking arrangements;

ix) Retain or re-provides ancillary facilities within individual premises, (such as loading, storage, staff or administrative facilities), unless it is demonstrated that the centre retains its role as a sub-regional shopping centre and that these are no longer necessary for appropriate future use of the premises;

x) Result in an over concentration of uses such as takeaways and other uses with closed and inactive street frontages. The Council will consider the role of the centre within which the proposal is located and other matters such as the numbers of existing similar uses within the frontage and any existing or potential issues. Permission will not be granted where harm to the vitality and viability of the centre, or the amenity of local residents and businesses, cannot be adequately mitigated; and

xi) Require conditions to be applied to any new development where it is relevant and appropriate to do so, in order to control the proposed and allow for change of use in line with the Council's aspirations and strategies for the area.

District Centres and Local Centres

e) The policy approach seeks to encourage convenient and accessible local shopping facilities that are of a scale appropriate to the role and function of the centre to meet day to day needs of residents, and contribute to social inclusion. When considering relevant proposals within these centres regard will be had to the following:

> *i) in District and Medium Scale Local Centres - seek to retain a core of retail uses of at least 50% of the units in the whole centre, to ensure the role and function of the level of centre is maintained. Allow for uses such as financial and service and restaurant and cafes of an appropriate scale for the role and function of the centre. Other uses will be supported where it can be demonstrated that the use will enhance the vitality and viability of the centre in which it is proposed, generates footfall and retains an active shopfront with a shopfront display;*

Vitality/Viability

The unit is located within the Thomas A Beckett Medium Scale Local Centre which extends to the east, north and south of the site. There is a variety of shops and services within the centre as a whole including retail, cafes, restaurant/pub, micro pub, takeaways, locksmiths, financial services, garage, print shop, estate agents etc. as well as several vacant units.

The change of use to a beauty salon would result in the loss of a retail unit however, given the presence of other vacant premises within the centre, the change of use of one unit would not preclude use for retail purposes elsewhere within the Thomas A Beckett Centre.

Nail salons are becoming a popular type of use within a shopping area environment and this predominantly daytime use would attract passing trade resulting in a potential increase in footfall for the area. The new use will maintain the day to day needs of the local community, keep an active frontage and contribute to the vitality of the local centre. The proposal would complement existing shops and services, providing additional choice for the local community and encouraging visitors to the town. The proposal is considered to make a positive contribution to the vitality and long term viability of the area and would not harm the character of the local shopping centre.

The large windows forming the shopfront would retain an active shop front.

The unit is within sustainable location, accessible by public transport and by foot or cycle and would not harm or diminish the vitality or viability of the town centre.

The proposal would be consistent with the aims of policy DM13.

Visual Amenity

The only change to the shopfront would be the signage applied to the existing fascia and an extractor vent to the side.

The signage would not detract from the appearance of the building or the character of the area.

The proposed vent would be tucked away down the side of the building and would not appear prominent or intrusive in the street scene.

There would be no harm to the visual amenities of the locality as a result of this application.

Residential Amenity

The surrounding area has a mixed character of commercial use at ground floor and residential flats or offices above. The first floor above the application unit is occupied by residential flats, as is the adjacent building.

The proposed use of the ground floor unit as a nail salon would not generate excessive noise or disturbance. The ventilation proposed would be located at the side of the building where there are no windows or other openings to the flats above or adjacent. The position of the extractor fan within the side wall of the premises would therefore protect nearby neighbours from noise, odour or fumes and would not harm the residential amenities of the occupiers of the adjacent residential flats.

Environmental Health has sought further clarification to ensure the ceiling is sealed prior to first use to prevent odour escaping into the upper floor. However, the EHO is satisfied with the proposed ventilation details and in the interests of proportionality it is considered that an informative will be adequate, advising the applicant to ensure the ceiling is inspected and sealed where necessary, prior to first use, to avoid odour nuisance.

The beauty salon would operate between the hours of 09:00 and 18:30 and would not adversely affect local residents.

There would be no detrimental impact on residential amenity as a result of this application.

Access and parking

No vehicular parking is proposed. As such, parking would have to be accommodated on-street, as per the existing arrangement. Traffic generation and demand for parking is unlikely to differ significantly from the former retail use and the Local Highway Authority has raised no objection.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Hours of opening
4. Ventilation implemented

Informative

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. To avoid odour nuisance to the upstairs occupiers you are advised to inspect the ceiling between floors and seal any gaps identified prior to first use as a nail salon.

Expiry Date - 29/07/2024

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

Case Officer: Amanda Haslett Date: 14/08/24

Authorised by: Jo Morin Date: 15.08.2024