

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 20th August 2019

Application	1
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Application Number:	19/01535/FUL	Application Expiry Date:	20th August 2019
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Application Type:	Full Application
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Proposal Description:	Change of use from Shop to Beauty Salon, formation of car park and dropped kerb.
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At:	18 Doncaster Road Harlington Doncaster DN5 7HT
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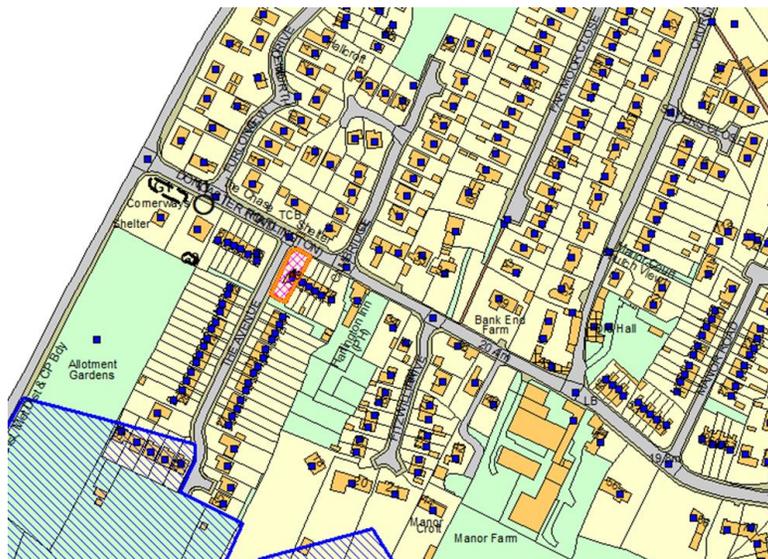
For:	Mr Vincent Hawke
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Third Party Reps:	28	Parish:	Barnburgh Parish Council
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Ward:	Sprotbrough
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Author of Report	Alicia Murray
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MAIN RECOMMENDATION:	APPROVE
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1.0 Reason for Report

- 1.1 The application is being presented to Members as the proposal has received significant public interest.

2.0 Proposal & Characteristics

- 2.1 Full Planning Permission is required to change the use of a vacant retail unit (formerly the village shop) to a beauty salon (sui generis).
- 2.2 The application also proposes the creation of a dropped kerb and two additional car parking spaces to the front of the site.
- 2.3 The site is located along the main road through Harlington. The site is an end-terraced property which has been utilised for commercial purposes for many years. The surrounding properties are mainly residential in nature, with a hairdressers and public house in the immediate vicinity.
- 2.4 The site currently has a garage to the side/rear with the provision of two off street car parking spaces available. Surrounding the front and side of the site is a low laying boundary wall, to the front of the site is a break in the boundary wall with a grassed garden area and pathway leading to the shop front.

3.0 Relevant Planning History

- 3.1 05/02213/FUL: Erection of two flats on approximately 0.04ha of land. Refused 11.08.05.
- 3.2 06/01979/FUL: Change of use from 2 ground floor residential flats (C3) to beauty salon with hairdressers (Sui Generis) with creation of shop front. Refused 03.10.06.

4.0 Representations

- 4.1 Representations have been received from or on behalf of 28 residents of the surrounding area opposing the application.
- 4.2 In summary the representations made reference to the matters listed below. The full individual representations may be read through public access:-

- No need for another salon in the village, especially neighbouring existing hairdressers; more of a need for a local shop or post office.
- Highway safety concerns, with a dropped kerb being proposed on a main/busy road and surrounding boundary treatments hinder visibility.
- On street parking is a problem in the area, especially on Avenue Road.
- Harm to the character of the area by the introduction of car parking to front.
- The proposal would not increase jobs.

4.3 The matters raised regarding competition and loss of business from other salons, is not a material planning consideration; therefore these comments cannot be taken into account. Comments regarding loss of the existing A1 unit, appearance, and highway safety will be discussed in greater detail below.

4.4 A further letter of support has been received from the owners of the site, they have outlined that the business has not been viable for some time and the previous tenants gave notice because of this. The land owner tried to continue with the use, however was unable to sustain the business.

5.0 Parish Council

5.1 No comments received.

6.0 Relevant Consultations

6.1 **Highways DC** – It is noted that there are a number of representations in relation to the suitability of access, whilst the officer is mindful of the concerns raised in relation to road safety, the number of visitors to the business will be restricted by an appointment basis and there is sufficient room for vehicles to manoeuvre within the site. Furthermore, the proposal to have vehicles parking off road within the site curtilage, rather than on street at this location, is considered the more favourable option.

6.2 **Environmental Health** – No objections.

7.0 Relevant Policy and Strategic Context

7.1 The site is allocated as Residential Policy Area as defined by the Doncaster Unitary Development Plan (Proposals Map) 1998.

7.2 National Planning Policy Framework (NPPF 2019)

7.3 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

7.4 Core Strategy 2011 - 2028

7.5 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:

CS 1: Quality of Life

CS 14: Design and Sustainable Construction

7.6 Saved Unitary Development Plan Policies (Adopted 1998)

PH12 – Non-residential Development in a Residential Policy Area

7.7 Draft Doncaster Local Plan

The emerging Doncaster Local Plan will replace the UDP and Core Strategy once adopted. The Local Plan was approved at Full Council on the 25th July 2019 and Regulation 19 Publication is commencing on Monday 12th August 2019 for 7 weeks. The Council is aiming to adopt the Local Plan by the end of 2020. Given the relatively early stage of preparation of the emerging Local Plan, the document carries limited weight at this stage, although the following policies would be appropriate:

Policy 47: Design of Non-Residential, Commercial, and Employment Developments

7.8 Other material planning considerations

- Doncaster Development and Design Requirements SPD
- National Planning Policy Guidance

8.0 Planning Issues and Discussion

8.1 The principal issues for consideration under this application are as follows:

- i) The suitability of this site for a Beauty Salon
- ii) The effect of development on the amenity of existing residents, and future residents, as well as character of the area;
- iii) The effect of the development on highway safety.

Appropriateness of the proposal

8.2 The application site lies within a Residential Policy Area as defined by Doncaster's UDP. As such consideration should be given to Policy CS14 of the Core Strategy but specifically Policy PH12 of the UDP which states: "Within residential policy areas, the establishment or extension of non-residential uses of appropriate scale will be permitted, provided the use would not cause unacceptable loss of residential amenity through, for example, excessive traffic, noise, fumes, smells or unsightliness."

8.3 This site has been operating commercially for several years within the A1 use class. Therefore the development would not result in the increase of non-residential uses in this area. The details outlined in PH12 will be discussed in more length below.

Loss of Local Shop

- 8.4 Whilst the closure of this local service is regrettable; the local shop closed down several months ago, as it was no longer a viable business venture. Following the shops closure the building was put up for sale and the current application was submitted to propose a new use. The owner of the site has outlined to the Local Planning Authority in writing that the business has closed due to limited business and the shop being no longer financially viable. There has been no other interest to continue the permitted use as a local convenience store. Furthermore, this site is not designated as an asset of community value on the register.
- 8.5 It is therefore considered that the loss of this local shop is given limited weight, as the use ceased several months ago with no interest from other parties in operating the shop.

Character of the area

- 8.6 The proposal does not include any external alterations to the building itself, given that it has a shop front in situ and has been operating commercially for several years. The external alterations included with this proposal are the introduction of off street parking to the front of the site and the creation of a dropped kerb.
- 8.7 The loss of this front garden and the creation of hard standing for car parking would not be wholly out of character with the area; most dwellings along Doncaster Road do have landscaped front gardens but many do have large areas of hardstanding for parking and other commercial buildings on Doncaster Road have large car parks with limited landscaping. Furthermore there are no trees or planting on the site and the boundary wall is already broken at the position of the proposed dropped kerb and the applicant has stated that the boundary wall will not be removed.
- 8.8 Therefore it is considered that the impact on the character of the area is minimal and would not cause a detrimental visual impact to the area. In accordance with PH12 of the UDP and CS14 of the Core Strategy.

Amenity of Neighbouring Residents

- 8.9 The proposed use is not overly noisy and will not to lead to an intensification of the site in terms of traffic or customers in respect of the residential neighbours surrounding the site or above the premises; it could be said that given the nature of the business and the time it takes to conduct the procedures that this proposed use is less intensive than the former A1 convenience store. Doncaster's Environmental Health Officer has been consulted and has raised no objection. The proposal would not require any extraction or ventilation and any external plant i.e. air conditioning would require separate planning consent.
- 8.10 The applicant has confirmed that the opening hours shall be Mon-Friday 9am to 7pm and Saturday 9am to 4pm, with Sundays closed and this will be controlled via condition. This is considered to be acceptable for this residential environment and would not cause a significant harm to the surrounding neighbours.

- 8.11 Taking the above matters into consideration, the application is considered to be in accordance with PH12 of the UDP and CS14 of the Core Strategy.

Highways

- 8.12 The application site sits within a predominately residential area with another A1 use unit opposite; it is well known that this section of Doncaster Road is often full of parked cars either from residents or visitors of the commercial units. The applicant is proposing the creation of 2 additional car parking spaces on the site and the creation of a dropped kerb on Doncaster Road. The creation of these spaces would result in the majority of the Beauty Salon customers being able to park off street and therefore reducing the amount of vehicles parked on the roadside, which occurred with customers of the former shop. Furthermore, the unit could re-open tomorrow as a general A1 unit such as a hairdressers or barbers without this provision of parking and as such the parking proposed is welcomed.
- 8.13 This is echoed in the consultation response received from the Highways Officer, who is satisfied that the parking and dropped kerb can be achieved without causing a significantly detrimental impact to the highway safety of the area; therefore the development is considered to be in accordance with PH12 of the UDP and CS14 of the Core Strategy.

Economic Vitality

- 8.14 This proposal would bring back to use a vacant commercial unit, which would improve the economic vitality of the area. It is considered to offer modest weight in favour of the application. It is worth noting that competition between other businesses is not a material planning consideration. This application is considered to be in accordance with the NPPF, specifically section 2 and 6 which deal specifically with sustainability and building a strong, competitive economy.

9.0 Summary and Conclusion

- 9.1 In accordance with Para. 10 of the NPPF the proposal is considered in the context of the presumption in favour of sustainable development. No objections have been raised by the Local Highway Authority or Environmental Health. In terms of the three elements of sustainable development the proposal is considered to be acceptable and the proposal accords with the relevant policies of the development plan. There are, no material considerations of sufficient weight that indicate planning permission should be refused.

10.0 RECOMMENDATION

Planning Permission GRANTED subject to the following conditions.

01. STAT1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
REASON
Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.

02. U0072410 The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:

Site Plan received 25.06.2019
Proposed Floor plan received 25.06.2019
Location Plan received 25.06.2019
Existing floor plan received 24.06.2019
Application forms received 24.06.2019

REASON

To ensure that the development is carried out in accordance with the application as approved.

03. U0072076 The hours of opening shall be limited to:
Monday to Friday 0900 hours to 1900hours
Saturdays 0900 hours to 1600 hours
and not at all on Sundays or Bank Holidays.

REASON

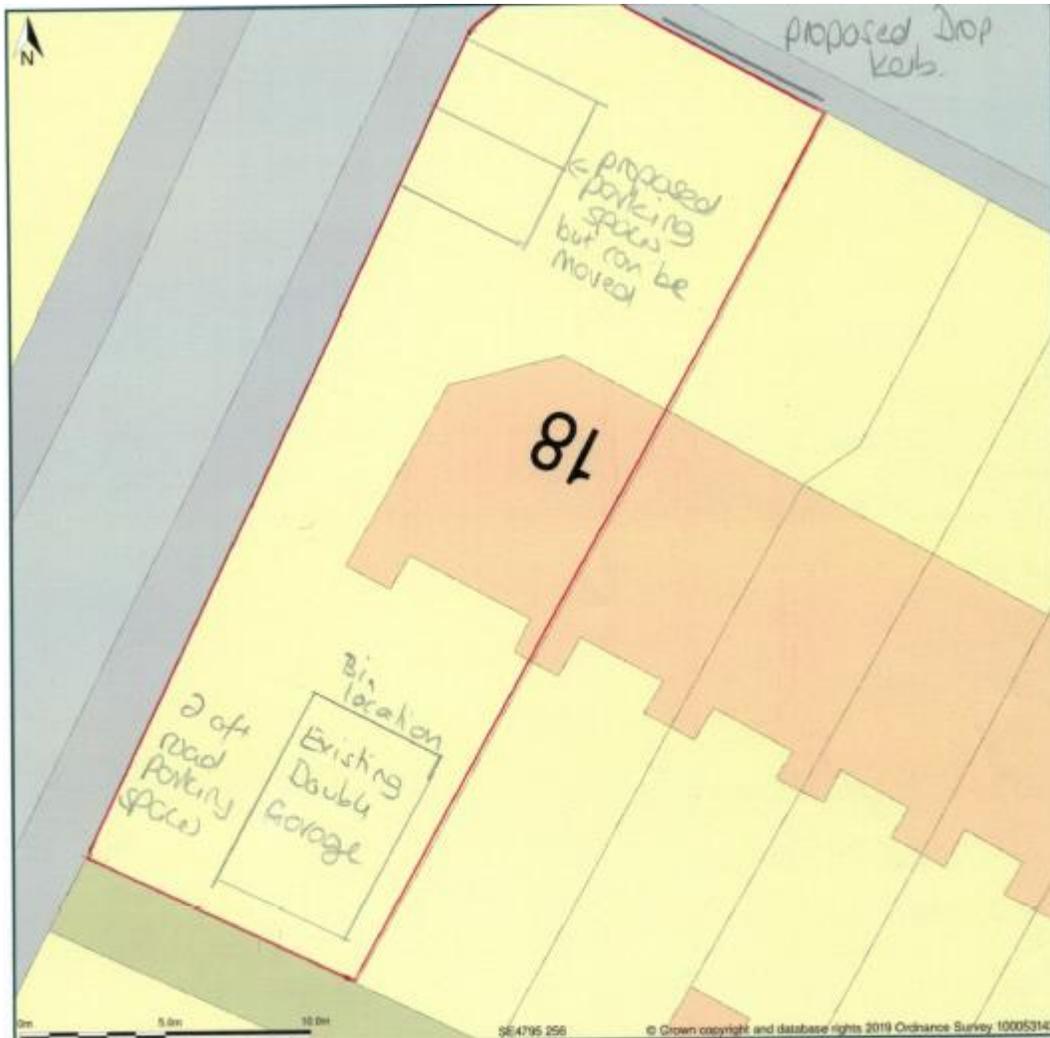
To ensure that the development does not prejudice the local amenity, in accordance with UDP Policy PH12.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

Appendix 1 - Location Plan



Appendix 2 – Site Plan



Appendix 3 – Proposed Plan

