DELEGATED REPORT

Recommendation Made: 14 May 2009

Reference:- 09/00243/COU **Parish:- Markfield Parish Council**

Applicant:- Mrs Lynne Millington
49 Church Lane
Ratby
Leicester
Leicestershire

Location:- 2 The Nook Markfield Leicestershire LE67 9WE

Proposal:- CHANGE OF USE FROM OFFICE TO BEAUTY SALON.

Introduction:-

This is an application for the change of use of 2 The Nook, Markfield from office use (B1) to a Beauty Salon which falls within either the Sui-Generis Use Class or the standard A1 Retail Use Class. The change of use to B1 offices was granted planning permission in 2000 under application 00/00944/FUL. The property falls within Markfield's Local Centre.

2 The Nook is located just off Main Street which serves as Markfields Local Shopping Area. Residential properties stand to the north and east with retail units running along Main Street to the west of the site. The application property is a small unit situated behind 110 Main Street which has a small courtyard to the south west and currently has no shop fascia or signage.

2 The Nook is situated on the corner of The Nook at a fork in the road near the junction with Main Street. Adjacent roadways have double yellows lines restricting parking in the immediate vicinity but a public car park serving the village centre is situated approximately 25 metres west.

This application seeks to change the current use to a beauty salon which includes cosmetic services such as facials, waxing, massage etc. No services which could be classed as clinical are expected to be undertaken as a result of this Change of Use. The salon will have a full-time and a part time employee and will have operating hours between Monday to Saturday 9am to 5pm.

History

00/00944/FUL- Change of use to form offices- approved- 1.11.00

99/00186/COU- Change of use to hot food takeaway (A3)- refused- 28.04.99

Consultations:-

The County Council Highways Officer has no objection to this application

The Borough Council Environmental Officer has no objection to this application

A neighbouring property has commented they are concerned with an increase in vehicles parking in front of their drive which doesn't have double yellow lines in front preventing access to the drive.

Development Plan Policies:-

Local Plan Policy
- Retail 8 (Change of Use within Local Centres)
- T5 (Highway safety and vehicle parking standards)
- BE1 (Design and siting of development)

Appraisal:-

The central concerns to address in this application are the impact on the overall retail development of Markfield Local Centre, the amenity of neighbouring residential properties and the general character of the locality. In addition parking and highway safety must be considered.

The proposed Beauty Salon is well related to other retail premises on Main Street and the front of the premises is visible from this road. The unit will operate during conventional shop opening hours which match the majority of premises within the local shopping area. The unit is very small, only able to accommodate 2-3 people at any one time and the change of use from office to a beauty salon would not impact on the vitality of this retail area. The re-use of the unit would supplement the existing uses within the vicinity and enable a beneficial use to be introduced to this unoccupied building in the local shopping centre.

Parking in the nook and adjacent to the application site is currently heavily restricted through the use of double yellow lines. Parking restrictions are a necessity to avoid obstructions to the narrow roads forming The Nook. The limited size and capacity of 2 The Nook is highly unlikely to result in an increase in vehicular traffic and any additional parking requirements can be accommodated in the public village car park on Main Street.

The existing unit, due to its previous use, has no shop frontage and the proposed change of use does not include any exterior alterations. Although not included in the application the applicant has indicated a small hanging sign over the front door, facing toward Main Street, will be displayed. This sign is unlikely to require advert consent and would not harm the character of the area.

Residential properties lie in close proximity to the site but the majority of customers are expected to flow from Main Street which is 7 metres north. Customers would have to pass the flats to the north to reach the unit but the additional numbers and their impact entering and exiting the salon will be negligible due to the units capacity. The proposed activities within the salon are unlikely to cause any noticeable increase in noise levels above that created by the nearby retail units and traffic on Main Street.
The small courtyard to the side, which is not visible from the street, provides adequate space for any waste bins which are required for the proposed business.

The salon will not undertake clinical or surgical activities, will have similar opening hours to nearby retail units and will have a negligible impact on parking. On balance there is no identifiable material harm generated by the proposal to justify placing this planning permission in the Sui-Generis use class. This change of use would more suitably fit into the A1 Retail Use Class which affords the premises increased flexibility in the future.

Overall the change of use of 2 The Nook to a Beauty Salon (A1) would not adversely affect the overall retail development of Markfield's local centre, the character of the area or neighbours amenity or highway safety and would accord with Local Plan Policies BE1, T5 and Retail 8 and it is recommended for approval.

RECOMMENDATION :- Permit subject to the following conditions :-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan and would not harm the character or appearance of the area, the living conditions of neighbouring occupiers or highway safety.

SUMMARY OF DECISION - The proposal is in conformity with Policies RETAIL 8, T5 and BE1 of the Hinckley and Bosworth Local Plan. Planning permission is granted subject to conditions.

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 The beauty salon shall not be open to the public outside the following times:- Monday to Saturday 09:00 to 17:00

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development is not detrimental to the amenity of the neighbouring properties in accordance with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4. The property currently has no existing shop frontage or signage. The display of an advertisement such as a shop sign may require advert consent depending on the type and size of the sign to be displayed. Any alterations to the external appearance of the building may also require planning permission.

Contact Officer:- David Kiernan Ext 5898