DELEGATED REPORT

Recommendation Made: 2 September 2011

Reference:- 11/00659/COU **Parish:- Burbage Parish Council**

Applicant:- Mr Richard Morris
85/87 Castle Street
Hinckley
Leicestershire
LE10 1DA

Location:- 81 Church Street Burbage Hinckley Leicestershire LE10 2DA

Proposal:- CHANGE OF USE FROM RESIDENTIAL DWELLING TO HAIRDRESSING SALON

Introduction:-

This is a planning application for the change of use of a dwelling to form a hairdressing salon. The application site is a two-storey terraced property located in the centre of Burbage, within the conservation area. It is proposed to change the use of the ground and first floor to form a hairdressing salon. The ground floor of the dwelling has a lead cornice and lighter coloured brickwork to its front elevation which are remnants of a shop front that was previously installed to the frontage when the building was used previously as a hairdressers. The dwelling is sited adjacent to an adjoining terraced property and to the co-op convenience store.

Relevant History:-

01/00079/COU CHANGE OF USE TO RESIDENTIAL AND ALTERATIONS TO FRONT ELEVATION
77/01334/4 CONVERSION OF FIRST FLOOR OFFICE INTO LIVING ACCOMMODATION

Consultations:-

No objections have been received from:-

Director of Environment and Transport (Highways)
Head of Community Services (Pollution)
Head of Community Services (Land Drainage)
Waste Minimisation
Burbage Parish Council

A site notice was displayed and neighbours notified. At the time of writing this report no comments have been received from:-

Neighbours
Ward Members

Development Plan Policies:-

National Planning Guidance:

PPS4
PPS5

Adopted Core Strategy:

Policy 4: Development in Burbage

Adopted Local Plan:

BE1 - Design and Siting of Development
BE7- Development in Conservation Areas

Supplementary Planning Guidance

Burbage Village Design Statement 2006

Appraisal:-

The main issues in this case are the principle of development, impact of development upon the Burbage conservation area and on residential amenity.

Principle of development

The site is located within the development boundary for Burbage; therefore there is a presumption in favour of development subject to all other planning matters being appropriately addressed. The re-introduction of a hairdressers shop into this dwelling will provide an additional community facility within Burbage. Therefore the development is considered acceptable in principle.

Impact on neighbours

The intended use of the unit is as a hairdressers. These uses are not known to generate noise or noise complaints that would be detrimental to residential amenity. These uses are commonly sited within residential areas where they are considered to be compatible uses. It is not considered that the proposed opening hours of 9:30am-6pm Monday to Saturday will create loss of amenity to surrounding residential properties through noise or general disturbance. There is sufficient on street parking around the war memorial opposite the site and a car park adjacent to accommodate customers to the site. The Head of Community Services (Pollution) has raised no objections to the proposed opening hours of the business. Due to the residential nature of the area a condition will be imposed which ensures that the proposed opening hours are adhered to.

Impact on the Burbage conservation area

The Burbage Village Design Statement states that the views along Church Street towards the war memorial are important and should be protected. It should be noted that these proposals are for a change of use to the property with limited external changes proposed as part of the development, this consists of a replacement timber door with glazing. Therefore the important views identified in the Burbage Village Design Statement will be retained. A separate planning application will be required for shop front changes and advertisement consent where the impact upon the character and appearance of the conservation area would be considered. The council's conservation officer has raised concerns in relation to shop front changes and the installation of a replacement door. The replacement timber door consists of glazed panels set within a timber frame. The existing door is constructed from timber with two glazed windows to its upper section. It is considered that the installation of a replacement timber door with glazed panels will preserve the character and appearance of the Burbage conservation area.

No external changes in terms of adverts or installations of shop fronts are proposed as part of this change of use planning application.

Conclusion

The introduction of an A1 shop use within Burbage is considered to be acceptable as it will result in an additional retail use in the defined local centre. The proposed use (hairdressers) is not considered to result in loss of residential amenity and preserves the character and appearance of the Burbage conservation area. Therefore the proposed development is recommended for approval subject to conditions

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 be detrimental to the occupiers of neighbouring properties or to the character and appearance of the Burbage conservation area. Therefore the development is considered acceptable.

Hinckley & Bosworth Borough Council Local Development Framework: Core Strategy (2009):- Policy 5.

Hinckley & Bosworth Borough Council Local Plan (2001):- Policies BE1.

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

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: drawing B10/09/P01 received on 11 August 2011

3 The hairdressers shall not be open to the public outside the following times:- 0930 to 1800 hours Monday to Saturday and at no time on Sundays and Public Holidays.

Reasons :-

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

2 For the avoidance of doubt and in the interests of proper planning.

3 To ensure that the proposed use does not become a source of annoyance to nearby residents in accordance with Policy BE1 of the Hinckley and Bosworth Local Plan 2001.

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 6 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 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5 This planning permission relates to the change of use of the property only. Your are advised that separate planning permission and/or advertisement consent will be required for external shop front changes and installation of adverts to the shop frontage.

Contact Officer:- Scott Jackson Ext 5929