

<b>Application Number</b>	<b>16/00481/FUL</b>
<b>Proposal</b>	<b>Change of Use to Retail (Class A1) and new shopfront with roller shutters.</b>
<b>Site Location</b>	<b>130-132 Taunton Road, Ashton</b>
<b>Applicant</b>	<b>Premier Aluminium Systems Ltd, Victor Mill, Tame Street, Stalybridge</b>
<b>Recommendation</b>	<b>Approve</b>

## REPORT

### **1.0 SITE & SURROUNDINGS**

- 1.1 The application site is a two storey semi detached property with a double pike feature to Taunton Road each having round windows with stone detail around. At first floor there are window openings whilst at ground floor the elevations are brick with high level opaque glazing detail and stone end detail. Entrance to the property is fronting Taunton Road to the west.
- 1.2 The site is within a residential area characterised by two storey terraced properties. Oldham Road is 64 metres to the east with Newmarket Road 56 metres to the north.

### **2.0 PROPOSAL**

- 2.1 This application seeks full planning permission for change of use of the property to use at ground floor to retail (Class A1) with new frontage to include roller shutters. The proposed use will be for a hairdressers operating on an appointment basis. There is also a proposal to include two advertisements being a fascia sign and one projecting box sign. This is subject to a separate planning application reference 16/00235/ADV. Should the Panel grant the permission for the change of use, the decision to approve this application will be issued under powers delegated to officers.
- 2.2 The new frontage will include a fascia treated black with small lettering off set above the proposed doorway. The frontage will be predominantly glazed with the roller shutters behind the new fascia board and coloured black. There are to be no changes to the side elevation.
- 2.3 The hours of use proposed have been confirmed as 8.00am to 6.00pm Monday to Saturday but excluding Friday, 8.00am to 8.00pm Friday and 10.00am to 4.00pm Sunday.

### **3.0 PLANNING HISTORY**

06/00524/FUL: Change of use to 1no 2 bed and 2no 1 bed flats. Erection of extension to rear to form 2 bedrooms at first floor level with parking underneath. Approved 30<sup>th</sup> May 2006

16/00068/FUL: Installation of new aluminium shopfront , UPVC door , roller shutters and signage. Withdrawn 16<sup>th</sup> May 2016

### **4.0 RELEVANT PLANNING POLICIES**

#### **4.1 Tameside Unitary Development Plan (UDP) Allocation**

Unallocated

#### **4.2 Tameside UDP**

##### **Part 1 Policies**

1.1 Capturing Quality Jobs for Tameside People  
1.9 Maintaining Local Access to Employment and Services

##### **Part 2 Policies**

H2 Unallocated Sites  
S3 New Retail Developments outside Town Centres  
S6 New Local Shopping Developments  
S9 Detailed Design of Retail and Leisure Developments  
C1 Townscape and Urban Form  
C11 Shop Fronts

#### **4.3 Other policies**

National Planning Policy Framework (NPPF)

Section 2 Ensuring the vitality of town centres

Planning Practice Guidance (PPG)

This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the PPG or other national advice in the Analysis section of the report, where appropriate.

### **5.0 PUBLICITY CARRIED OUT**

As part of the assessment of the planning application 25 notification letters were sent out to neighbouring properties on 20<sup>th</sup> May 2016

## **6.0 RESPONSES FROM CONSULTEES**

- 6.1 Head of Environmental Services – Highways has no objections to the proposed development and has not requested any conditions are attached to any approval granted.
- 6.2 Head of Environmental Services – Environmental Protection Unit have no objections subject to conditions limiting the hours of use to 0700 - 1900 Monday to Friday and 0700 - 1700 Saturday with no working on Sundays and Bank Holidays. Also recommended is a condition requiring a scheme for soundproofing of party walls between adjacent residential properties to be approved prior to the use being implemented.

## **7.0 SUMMARY OF 3<sup>rd</sup> PARTY RESPONSES RECEIVED**

- 7.1 Twenty letters of objection have been received on the following grounds:-
- there are already 3 hairdressers in walking distance of the property
  - parking in area is already horrendous, although the staff say they won't park locally were are they going to park and where are customers going to park? School traffic also park on the street. Even with booking system will impact on highway safety and increase parking problems.
  - building two apartments above the shop when even more cars will be introduced to the area and will cause overlooking and privacy issues.
  - opening hours are excessive. Venture won't last and will end up as an all night store.
  - not a place to have this sort of business with the operation of the roller shutters causing a noise issue.
  - were are waste bins to be stored?
  - - hazardous materials/chemicals, smells and commercial waste storage
  - at busy road junction with no parking outside the property due to speed humps and restrictions
  - never been a retail business and confirms property has been a factory for over 30 years and not open to the public. Increase traffic will impact on neighbour sparking and ruin a quiet residential area.
  - venting will extract foul smells into communal alleyway with smoke terrace and nail bar polluting the area
  - not been informed of application
- 7.2 Local Councillor Cath Piddington requests the planning application is submitted for consideration at the Speakers Panel where the objectors can put their case forward. The Councillor mentions there have been previous applications in this area which have caused Speakers Panel to refuse due to lack of parking and cannot see any difference in this matter. The Councillor adds the residents would also be disturbed by the proposed operating hours, this area is a very congested terraced residential area and already struggles with refuse collection due to parking issues & close proximity to a primary school.

## **8.0 ANALYSIS**

8.1 The key issues in deciding this application are:-

- 1) Principle of development
- 2) Impact on character of the area and neighbours amenity
- 3) Highways and parking

### **Principle of development**

- 8.2 Section 38 of the Planning and Compulsory Purchase Act 2004, states that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Consideration will also be necessary to the appropriate weight to be afforded to the development plan following the publication of the National Planning Policy Framework. Paragraphs 208 - 219 of the NPPF sets out how its policies should be implemented and the weight which should be attributed to the UDP policies. Paragraph 215 confirms that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is the presumption in favour of sustainable development.
- 8.3 Paragraph 24 of the NPPF requires local planning authorities to apply a sequential test to planning applications for main town centre uses such as retail development that are not in an existing centre and are not in accordance with an up to date Local Plan.
- 8.4 UDP policy S3 would only permit such developments outside of town centres where certain criteria can be satisfied. However, UDP policy S3 would not apply to developments of less than 1,400 square metres gross floor space. Policy S6 deals with proposed development intended to primarily serve local needs where local small scale retail outlets serving local needs will be permitted. It is there considered that a sequential test is not necessary for this application.
- 8.5 The proposed development will create approximately 90 square metres of retail floorspace at ground floor and it is considered the proposed small scale retail development will comply with both the NPPF and UDP and will not impact on Ashton town centre. The principle of the development is therefore considered acceptable and more detailed criteria is now assessed below.

### **Impact on character of the area and neighbours amenity**

- 8.6 The use as a hairdresser's is considered not to raise any significant environmental issues which may impact on the neighbouring residential properties. The use will not involve any operations resulting in unacceptable levels of noise or odours and with a suitably worded condition requiring the party walls being acoustically insulated, in line with the Head of Environmental Services – Environmental Protection Unit comments, the proposed use is considered acceptable and would comply with UDP policy S6.

- 8.7 Although the hours recommended to be conditioned of 0700 - 1900 Monday to Friday and 0700 - 1700 Saturday with no working on Sundays and Bank Holidays, are not in accordance with the times the applicant has applied for, these are considered to be more acceptable for a use within a residential area and have been agreed with the Head of Environmental Services – Environmental Protection Unit. Consequently with these reduced hours, the development is considered to be in compliance with UDP policies S6(b) and S9(d) and the use is unlikely to have an unacceptable impact on residential amenity.
- 8.8 It has been recommended the use be limited within the use class A1 to use for Hairdressers and Beauticians only. This restriction is considered appropriate to address an issue raised by some of the objectors regarding the property becoming a convenience store and increased traffic and disruption. The restriction would also take account of the fact the property has no off street parking facilities with reliance solely on 'on street' car parking. In limiting the use of the property to hairdressing/beauty salon with this use being on an appointment basis, this would ensure any vehicular traffic is regulated and limited. The applicants have now confirmed they are not in agreement with this restriction, having previously agreed. With this limitation, it is considered the proposed development would be acceptable and would be in compliance with UDP policy S6 in not creating traffic usually associated with other uses within Use Class A1.
- 8.9 The proposed new shop front will open up the front elevation with predominantly glazing panels which are considered to improve the appearance of the building whilst creating a more active and attractive frontage. The first floor elevations will be retained and not affected by the development. It is considered therefore the proposed frontage is acceptable and will comply with UDP policies C11 and S9(b).
- 8.10 The proposed roller shutters being positioned behind the new fascia and colour treated black will ensure this detail will have minimal impact on the street scene and will not detract from the character of the building. It is considered this detail is acceptable and will comply with criteria within UDP policies C11 and S9.

### **Highways and parking**

- 8.11 The property was last used for the manufacture of sewing machines which would have the potential to generate a significant amount of traffic if this use, or similar, were to continue. The use as a local hairdressing/beauty facility would reduce the size of vehicles servicing the property to the benefit of the local highway network and highway safety and is considered to be in accordance with UDP policy S6(c) and S9(a)
- 8.12 The Head of Environmental Services – Highways has confirmed there are no restrictions on waiting or loading in the immediate area of the development. It is considered the level of traffic and associated parking expected from the proposed use as a hairdresser operating an appointment system can be accommodated on the local highway without being detrimental to either highway safety or the local highway network. It is considered with the restriction on hair and beauty only and being run on an appointment basis, this will ensure pressure on parking would be limited and can

easily be accommodated on the highway without significant detriment to local residents.

## **9.0 CONCLUSION**

- 9.1 The use of the unit as a hairdressers will bring into beneficial use an otherwise vacant unit without having a significant impact on the highway or character of the area. The new shop front would improve the appearance of the building and would enhance and improve the street scene. It is considered the proposed service will provide for the local community and should result in more sustainable journey patterns being within a predominantly residential area.

## **RECOMMENDATION**

To grant planning permission subject to the conditions set out below:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 or any equivalent Order following the amendment, revocation and re-enactment thereof, the premises shall only be used as a Hairdressers and/or Beauticians and for no other purposes within Class A1 of the above Order.
3. The use hereby permitted shall not be operated on Sundays and Bank Holidays and outside the hours of 0700 - 1900 Monday to Friday and 0700 - 1700 Saturday.
4. The use hereby approved shall not be carried out until such time as a scheme for acoustic attenuation of all fixed plant and machinery has been approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme prior to the commencement of the use and shall thereafter be retained and maintained.
5. During construction/refurbishment no work (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.