

Committee Report

Application No:	DC/19/00332/COU
Case Officer	Josh Woollard
Date Application Valid	11 April 2019
Applicant	Mrs Tracey Carver
Site:	19 Keir Hardie Avenue Wardley Felling NE10 8EJ
Ward:	Pelaw And Heworth
Proposal:	Change of use from retail (use class A1) to beauty training centre (use class D1).
Recommendation:	GRANT
Application Type	Change of Use

1.0 The Application:

1.1 DESCRIPTION OF THE SITE

The application site is a ground floor unit located on Keir Hardie Avenue. This part of Keir Hardie Avenue is made up of three buildings that form a crescent. Each of the buildings provide two levels of accommodation; commercial units occupy the ground floors whilst residential units are provided above. Each of the buildings face onto an area of open space. The application relates to one of the two ground floor units within the northernmost building of the three.

1.2 The buildings around the site are in a variety of uses with the parade of ground floor retail units and residential accommodation above to the south, Wardley Primary School to the east, and residential properties to the north and west.

1.3 DESCRIPTION OF THE APPLICATION

The application seeks full planning permission for the change of use of the ground floor retail unit (Use Class A1) to beauty training centre (Use Class D1).

1.4 The applicant has provided the following information regarding the operation of the proposed business:

- Two staff members would run 3 courses per week, building up to 5 courses per week over a 12-month period
- Each course would run from 09:30 to 15:30 and would have a maximum of 10 students per course
- Courses would include lash extensions, eyebrow treatments, nail enhancements, gel polish, henna brows etc. and would be accredited with a certificate supplied by ABT (Associated Beauty Therapists)

2.0 Consultation Responses:

None received.

3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) 2015.

3.2 One representation has been received from Councillor Ian Patterson who objects to the proposal on the following grounds:

- Inappropriate use of the building as it is not large. Stonehills would be a more appropriate location.
- Would not be a forward-facing operation for customers to access, as remainder of units are respectively men's barbers, Premier store, ladies' hairdressers and dog grooming parlour.
- Parking is tight everywhere on estate and the shop is next to Wardley School. There will be a parking logjam especially during the school runs in term time.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS7 Retail and Centres

CS8 Leisure, Culture and Tourism

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

ENV3 The Built Environment - Character/Design

DC2 Residential Amenity

RCL5 District and Local Centres

5.0 Assessment of the Proposal:

5.1 The key issues to be considered in the determination of this planning application are considered to be the principle of the development, visual amenity, residential amenity and highway safety.

5.2 PRINCIPLE OF THE DEVELOPMENT

The application site is located outside of Pelaw and Felling District and Local Centres. The application proposes the change of use from Use Class A1 to Use Class D1. The proposed use is not a main town centre use as defined within

Annex 2: Glossary of the NPPF. A sequential test is therefore not required to support the planning application.

- 5.3 Whilst a sequential test is not required the application site is considered to be well located with good transport links. Heworth Metro station is approximately 500m away, whilst there is a public bus stop less than 50m away.
- 5.4 Policy CS7 of the CSUCP states that outside the retail hierarchy, local community facilities and small shopping parades, including single shops, will be retained where they provide an important service to the local community and remain viable.
- 5.5 The application form indicates that the unit has been vacant since January 2018. Given the length of time that the unit has sat vacant, it is considered that the unit in its current form does not provide an important service to the community, nor does it remain viable.
- 5.6 The proposed change of use would result in a unit that is not open to the public. The benefits that would stem from the development would include, and are not limited to, bringing the vacant unit brought back into use, increased footfall within the area which would help support the remaining retail units and providing training facilities. It is considered that the proposed change of use would not be detrimental to the vitality of the parade of shops.
- 5.7 Taking into account the accessibility of the site, the period of time the unit has sat vacant, and the benefits that would result from bringing the unit back into use, it is considered that the proposed D1 use would be appropriate in this location and would comply with the NPPF and policy CS7 of the CSUCP.
- 5.8 VISUAL AMENITY
No external works are proposed as part of this planning application. Whilst the unit would not be open to the public like the other retail units to the south, it is considered that the unchanged shop frontage would appear in-keeping with the other units along Keir Hardie Avenue.
- 5.9 Given the above, it is considered that the proposal would accord with the design aims and objectives of the NPPF, policy CS15 of the CSUCP, and Saved policy ENV3 of the UDP.
- 5.10 RESIDENTIAL AMENITY
The unit currently falls under Use Class A1. The unit, whilst currently vacant, would, when in use, be open to the public meaning there would be no limit on the number of customers visiting and using the shop.
- 5.11 The beauty training centre would not be open to the public and therefore customer numbers would be limited by the size of the premises and class size which the applicant has indicated to be a maximum of 10.
- 5.12 Further, the applicant has indicated that the courses provided at the centre would run from 09:30 to 15:30. As a result, the period of time in which customers

would likely visit the unit would be more condensed as opposed to a typical retail unit which would have longer opening hours. It is recommended that a condition be attached which restricts the opening hours of the unit to between 08:00 and 22:00 on any day to prevent any unacceptable impact on residential amenity.

5.13 Given the above, it is considered that the proposed beauty training centre would not have an unacceptable impact on residential amenity and would be compliant with the NPPF, policy CS14 of the CSUCP, and Saved policy DC2 of the UDP.

5.14 HIGHWAY SAFETY

5.15 Traffic Generation

It is not considered that the proposed beauty training centre would result in a significant increase in the number of trips in comparison to the existing use of the property.

5.16 Parking Provision

The application site has good transport links with a public bus stop less than 50m to the west, and Heworth Metro stop around 500m away. In addition, there are no parking restrictions within the immediate area. Given the sustainable location, it is considered that, despite the property not having any designated off-street parking, the development would not result in a severe impact on the road network.

5.17 Cycle Parking

The ground floor unit benefits from a private, external yard to the rear. In the absence of 3m x 7m garages, alternative secure and weatherproof cycle parking for the unit should be confirmed. It is therefore recommended that further details of the proposed cycle parking are submitted to the Local Planning Authority for consideration prior to first use of the beauty training centre. This can be secured via condition (condition 3-4).

5.18 Given the above, it is considered that the proposed development would be acceptable, subject to condition and would comply with the NPPF and policy CS13 of the CSUCP.

5.19 OTHER MATTERS

One objection received raises concerns regarding the size of the unit. It is considered that the size of the premises is suitable for the proposed use from a planning perspective. Assessing the suitability and standard of the teaching facilities would fall outside the planning system and would not therefore be a material planning consideration.

6.0 CONCLUSION

6.1 Taking into account all material planning considerations, it is considered that the proposed change of use from Use Class A1 to Use Class D1 would be

acceptable and would comply with the relevant national and local planning policies.

7.0 Recommendation:

That permission be GRANTED subject to the following condition(s) and that the Service Director of Development, Transport and Public Protection be authorised to add, vary and amend the planning conditions as necessary:

1

The development shall be carried out in complete accordance with the approved plan(s) as detailed below -

Location Plan
Site Plan

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

Prior to first use of the beauty training centre, final details of the secure and weatherproof cycle storage shall be submitted for consideration and written approval of the Local Planning Authority.

Reason

In the interests of sustainable development and in order to accord with policy CS13 of the CSUCP and the Gateshead Cycling Strategy 2015.

4

The details approved under condition 3 shall be implemented wholly in accordance with the approved details prior to first use of the beauty training centre and retained for the life of the development.

Reason

In the interests of sustainable development and in order to accord with policy CS13 of the CSUCP and the Gateshead Cycling Strategy 2015.

5

The opening hours of the premises shall be restricted to between 08:00 and 22:00 on any day unless otherwise approved in writing by the Local Planning Authority.

Reason

To ensure that no disturbance is caused to neighbouring properties as a result of unreasonable trading hours at the premises in accordance with Policies DC1, DC2 and ENV61 of the Unitary Development Plan.

