
2022/0861

Mrs A Trickett

Change of use from a hair dresser to a tanning salon

3 The Parade, Clough Fields Road, Hoyland, Barnsley, S74 0HR

Site Location and Description

The site is located in Hoyland, however not within the district centre, within a parade of shops in a predominantly residential area. The building in which the ground floor unit is located is adjacent to a public house, community centre and primary school. The building is set at a higher level to the highway but back from it and separated by an intervening grass verge.



Proposed Development

The applicant seeks permission for the change of use of the existing premises hairdresser (Class E) to a tanning salon (sui generis); the salon will be open Monday – Friday 9am to 6pm and 10am to 5pm on Saturdays.

It is not proposed to make any alterations to the external fabric of the building and any such works, along with signage would require separate consent.

Policy Context

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan

The site is allocated as Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy TC1 Town Centres
Policy TC5 Small Local Shops
Policy GD1 General Development
Policy D1 High Quality Design and Place Making
Policy Poll1 Pollution Control and Protection
Policy T3 New Development and Sustainable Travel
Policy T4 New development and Transport Safety
Policy SD1 Presumption in favour of Sustainable Development

NPPF

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent, or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraph 86 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

Supplementary Planning Documents (SPD):

Parking – sets out parking standards that will be applied to all new development.

Consultations

Highways DC – No objections.
Pollution Control – No objections.
Ward Councillors – No comments received

Representations

Neighbour notification letters have been sent to surrounding properties and the application has been advertised by the way of a site notice; no comments have been received.

Assessment

Principle of Development

The proposal lies within urban fabric (no specific allocation) on the Local Plan Proposals Map, where development may be considered acceptable where, there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents and where they are compatible with neighbouring land and will not prejudice the current or future use of land.

The applicant seeks permission to change the use from a hairdresser (Class E) to a tanning salon (Sui Generis). Where development is proposed for a town centre use (as defined by the NPPF) and located outside of the town centre a sequential test is usually required to ensure the maintenance and enhancement of the vitality and viability of the town centre.

Whilst the site is located outside the district centre, no sequential test has been provided, nor could it be argued that the use would meet the daily shopping needs of the local community given the proposed use. However, the application relates to a use within an existing row of commercial units which have been used as such for many years and the existing and proposed uses are very similar. The proposal is considered to be a compatible use having regard to Local Plan policy GD1 therefore. Had the proposal been for a use falling within the umbrella of small local shops at a floor space of 500sqm or less, a sequential test would not have been required. Consequently, it is not considered that a sequential test is required and that the proposed use (tanning salon) would not impact the viability or vitality of the district centre. The proposal is therefore considered to comply with Local Plan Policies TC1.

Residential Amenity

The applicant seeks permission to convert the existing unit into a tanning salon whilst there are residential properties close by the unit is located within a small parade of shops and adjacent to a public house and community centre. The proposed use would not require the installation of any external plant or equipment such as fume extraction and it is considered that the change of use to a tanning salon is not significantly different to the existing use and therefore is considered to be in compliance with Local Plan Policy GD1 or POLL1.

Highway Safety

The unit is located within a parade of shops which has a significant of parking provision surrounding the premises. Highways Development Control have been consulted on the application and have raised no objection to the proposed development in terms of its impact on highway safety, therefore it is considered that the proposal complies with Local Plan Policy T4.

Visual Amenity

The change of use does not require any alterations to the external fabric of the building and any such works, along with signage would require separate consent. It is therefore it is considered acceptable in terms of visual amenity and in compliance with Local Plan Policy D1.

Conclusion

Based on the above assessment it is considered that the proposed change of use from a hairdresser to a tanning salon would not have a detrimental impact on the vitality or viability of the district centre, residential and visual amenity, nor upon highway safety and as such is acceptable and in compliance with Local Plan Policies TC1, GD1, D1 and T4.

Recommendation

Approve with conditions