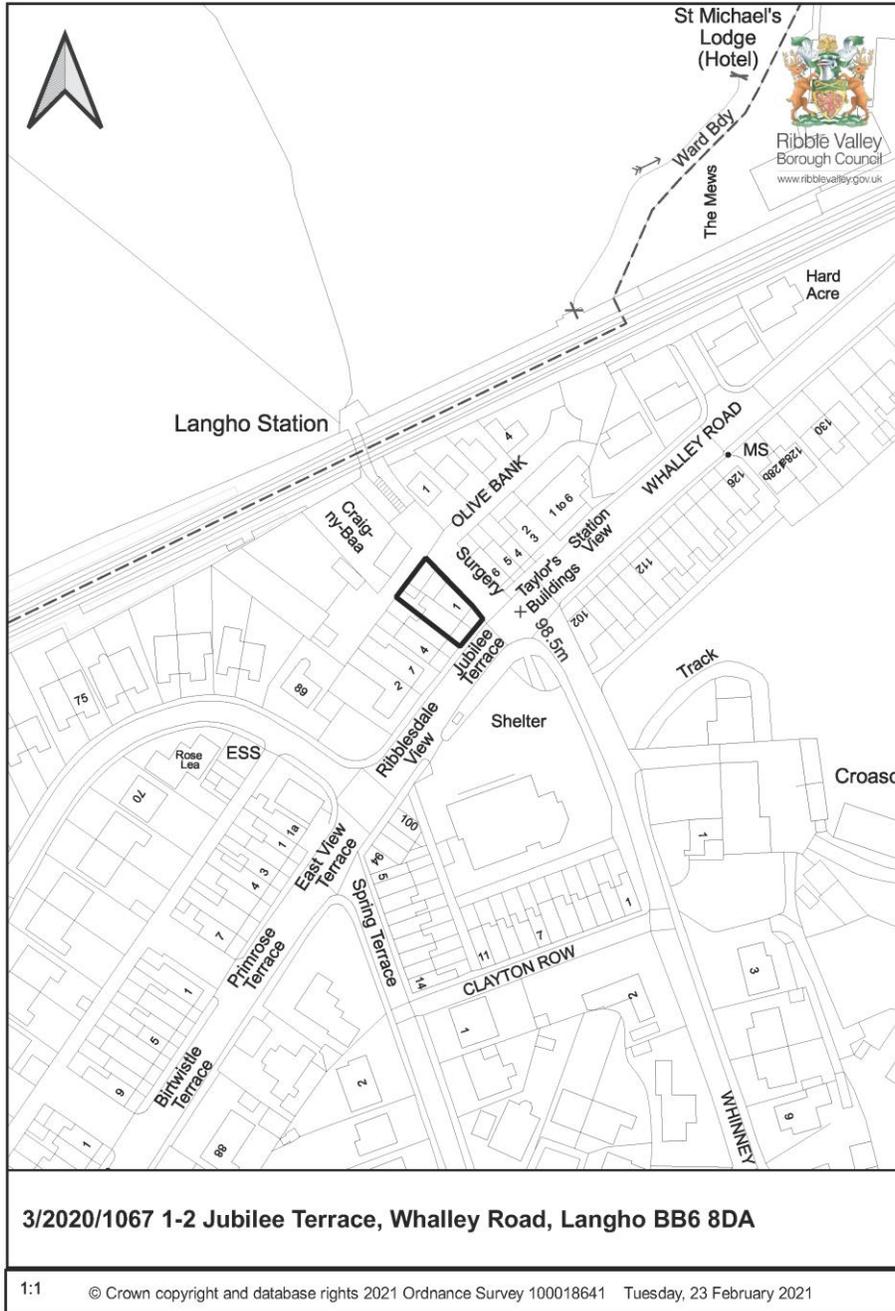


APPLICATION REF: 3/2020/1067

GRID REF: SD 370561 434329

DEVELOPMENT DESCRIPTION:

CHANGE OF USE OF TAKEAWAY TO BEAUTY SALON INCLUDING REMOVAL OF INTERNAL ACCESS FROM ADJACENT RESIDENTIAL PROPERTY TO PROVIDE SELF-CONTAINED UNIT AT 1-2 JUBILEE TERRACE, WHALLEY ROAD, LANGHO, BB6 8DA



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

The parish council has considered this application and whilst it supports local businesses there is concern that this is not the correct location for this business due to the volume of traffic the business it will bring. In comparison with the former takeaway there is an intensification of use meaning that more visitors will require parking for extended periods of time. Concerns were raised that the increased parking would cause issues, in particular so close to the zebra crossing and bus stop.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No objections subject to condition relating to refuse bin storage.

ADDITIONAL REPRESENTATIONS:

A total of 22 objection letters have been received in relation to this application and raise the following:

- Parking has always been an issue.
- Previous use as a takeaway only operated during the evening.
- Proposal intends to split the property into three separate business areas.
- Numerous clients visiting the site for prolonged periods – severe parking issues.
- Limited parking already due to rail passengers.
- Parking in area already at a premium during the day.
- Current traffic usage constitutes severe impact.
- No traffic survey with the application.
- People park blocking the access road that leads to Olive Bank and the rear of Jubilee Terrace.
- Economic impact on similar local businesses.
- Another hairdressers no needed in Langho.
- Road and junction safety issues due to parked vehicles.

Two letters of support have been received outlining that any commercial use of the building would generate parking requirements and that the proposed use would benefit other local businesses.

1. Site Description and Surrounding Area

1.1 The application building is located within the settlement of Langho on the main road through the village, Whalley Road. The building which is the subject of this application is comprised of two separate properties, nos. 1 and 2 Jubilee Terrace, which at some point in time have been brought into common ownership and have been occupied in conjunction with each other. The most recent use of the building has been as a hot food takeaway and associated living accommodation for the business owners although this business has now ceased.

1.2 No.1 Jubilee Terrace is an end-of-terrace property with its gable end facing Olive Bank, a private access that runs between the terraces of Jubilee Terrace and Taylor's

Buildings and provides access to a small residential estate and Langho train station. There are other commercial uses along the main road in the immediate area including hairdressers, a pharmacy and sandwich shop.

2. **Proposed Development for which Consent is Sought**

- 2.1 This application seeks permission for change of use from a takeaway to a beauty salon including the removal of an internal link to the adjacent residential property. Due to recent changes to the Town and Country Planning (Use Classes) Order introduced by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which came into force on the 1st September 2020, a takeaway is classified as a 'sui generis' use and the proposed use as a beauty salon would fall within Use Class E (Commercial, business and service).
- 2.2 The proposal is to convert the existing takeaway and living accommodation above to a beauty salon offering a wide range of treatments including hairdressers, beauty therapist, chiropodist and nail technicians. The reception and styling area would be at ground floor and at first floor would be three treatment rooms and a bathroom. The adjacent residential property (no.2 Jubilee Terrace), to which there is currently internal access from the ground floor takeaway, would be separated to form a completely independent residential unit.
- 2.3 To the rear of no.1 Jubilee Terrace is a 1 ½ storey building which provides parking for one vehicle and is accessed along Olive Bank which runs between the gables of Jubilee Terrace and Taylor's Buildings to the north-east. The upper floor of the ancillary building is used for storage purposes only.
- 2.4 The proposed development also includes some alterations to the existing buildings. The ground floor window opening on the front elevation of no.2 Jubilee Terrace would be reinstated to its original proportions. New advertisements would be erected to the front of the commercial unit and the forecourt area is proposed to be enclosed by 1.1-metre-high steel railing. Changes proposed to the side elevation of no.1 include the introduction of additional windows at ground and first floor, removal of the extraction vent to the rear, and there is the proposed erection of a 4-metre single storey rear extension to provide staff kitchen and ground floor WC.
- 2.5 According to submitted details the proposed development would create 4 full-time and 2 part-time jobs. Proposed opening hours for the business are 8.30am to 8.00pm Monday to Saturday and 8.30am to 1pm on Sundays.

3. **Relevant Planning History**

No relevant planning history.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement EC1 – Business and Employment Development

Key Statement EC2 – Development of Retail, Shops and Community Facilities and Services

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations
Policy DMG3 – Transport and Mobility
Policy DMB1 – Supporting Business Growth and the Local Economy
Policy DMR3 – Retail Outside the Main Settlements

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The principle of development in this location involving the replacement of one commercial use with another is considered to be acceptable. The property is located in the settlement of Langho and Policy DMR3 seeks to protect commercial uses at ground floor. As such the proposals are in accordance with Policy DMR3 of the Core Strategy.

5.2 **Impact upon Residential Amenity:**

5.2.1 It is noted that there is a doctor's surgery (presently vacant) at the ground floor of no.6 Taylor's Building and above it is a residential flat (6a). This property is an end-of-terrace and has ground and first floor windows facing the gable end of no.1 Jubilee Terrace. As submitted the proposed introduction of first floor windows in the gable elevation of no.1 Jubilee Terrace would result in unacceptable loss of privacy for occupants of 6a Taylor's Building, the first floor residential flat.

5.2.2 There is already a first-floor bedroom window in the gable end of Jubilee Terrace facing this adjacent property. However, the use of the first-floor rooms as treatment rooms would intensify their use compared with the existing situation and an additional first floor window opening is also proposed.

5.2.3 Having regard to the above, the applicant has agreed to remove the proposed new window at first floor. Additionally, the existing first floor window would be fitted with obscured glass to protect the privacy of the occupants of 6a Taylor's Building.

5.2.4 The proposed opening hours are 08.30 to 20.00 on weekdays and Saturday and 08.30 to 13.00 on Sunday and Bank Holidays. It is not considered that the use proposed would generate any issues regarding noise, disturbance or odours. Considering the existing lawful use of the building as a takeaway the proposals may result in an improvement for nearby residents in this regard.

5.3 **Density/Visual Amenity/External Appearance:**

5.3.1 The proposed alterations to the principal elevation of the building raises no design concerns. The proposed enclosure of the forecourt area with steel railings reflects the arrangement at nearby commercial properties.

5.3.2 The proposed extension to the rear of no.1 Jubilee Terrace would fill the existing gap between the rear of the main building and the detached ancillary 1 ½ storey building. The extension would have a mono-pitched roof and would be conditioned to be built using materials to match the parent property.

5.4 Highway Safety:

5.4.1 The majority of objection letters received relate to matters of highway safety and parking. The County Highways Officer has raised no objection to the proposed development. The proposal, incorporating three treatment rooms and hairdressing/styling area and said to create 4 full-time and 2 part-time jobs, would not generate such significant on-street parking that it would have a severe impact on the safety of the highway in this locality.

5.4.2 It is not anticipated that staff and customers would expect to park immediately adjacent to the application building; there are areas within easy walking distance of the site, off the main road, that have unrestricted on-street parking. In addition, it is likely that some customers/staff would take advantage of the building's proximity to the train station and bus stops by using public transport.

5.4.3 Concerns have been raised in relation to the potential blocking of access to Olive Bank and Langho train station. However, this access road is privately owned and any blocking of the access would be a private matter between the relevant parties involved. However, it is not considered that approval of the proposed scheme would make it any more likely that access would be impeded.

5.4.4 It should also be borne in mind that the existing lawful use of the building is a hot food takeaway which has the potential to create significantly more, albeit shorter, visits to the premises during the late afternoon and evenings when on-street parking is likely to be at a premium. It would be expected that a hot food takeaway would generate more pressure on parking within the immediate vicinity of the site given the short term nature of the customers visits and the desire to be as close to the premises to collect the food order as possible. Whilst it is acknowledged that the new use will generate parking within the area given the authorised use of the premises and the fact that the new use will not have the same requirement for parking within the immediate vicinity of the property it is not considered that the impact of the development in respect of on-street parking is sufficient to warrant refusal of the application.

5.5 Other Considerations:

5.5.1 A number of objections make reference to the number of similar businesses in Langho. However, there is no assessment of demand required for the application and commercial competition is not a material planning consideration. The proposed development would bring a currently vacant unit back into use.

6. Conclusion

6.1 Considering the above, the proposed development would support the aim of Core Strategy Policy DMR3 to retain commercial uses at ground floor in villages. The proposals would not result in any harm to the visual appearance of the area nor would it

impact negatively of residential amenity or highway safety. Accordingly, it is recommended that planning permission is granted subject to conditions.

RECOMMENDATION: That permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Site Location Plan GRO/01 Dwg 00
Existing Plans and Elevations GRO/01 Dwg 01
Proposed Plans and Elevations GRO/01 Dwg 01A (amended 03.02.2021)
Existing Site Plan GRO/01 Dwg 03
Proposed Site Plan GRO/01 Dwg 04A (amended 03.02.2021)

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments and to clarify which plans are relevant to the consent.

3. The window in the first floor of the side (north-east) elevation of the application building shall be fitted with obscure glass and any part of the window(s) that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority. The window shall be retained as such in perpetuity.

REASON: In the interests of the privacy of occupiers of neighbouring property.

4. All new external work and finishes shall match those of the existing building in respect of materials used, detailed execution and finished appearance.

REASON: To ensure that the materials to be used are appropriate to the locality.

5. The use hereby permitted shall only operate between 08.30 and 20.00 on Mondays to Fridays, between 08.30 and 20.00 on Saturdays and between 08.30 and 13.00 on Sundays or Bank Holidays.

REASON: In the interests of the amenity of the area and adjoining and nearby residential properties.

6. The existing garage shall be kept freely available for the parking of cars.

REASON: To ensure garaging is maintained and thereby avoid hazards caused by on-street parking.

7. The first floor of the garage building to the rear of the plot shall be used for storage only and for no other purpose.

REASON: To comply with the terms of the application and because any increase in the area of the beauty salon could lead to circumstances that would be detrimental to the amenities of nearby residents or highway safety.

8. All refuse bins shall be kept within the confines of the site, except on the appropriate collection day.

REASON: To minimise the impact on pedestrian movements on the footway.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2020%2F1067