

OFFICER REPORT FOR COMMITTEE

DATE: 14/11/2018

P/18/1076/CU
OASIS BEAUTY LTD

SARISBURY
AGENT: OASIS BEAUTY LTD

CHANGE OF USE FROM SUI GENERIS USE (BEAUTY CLINIC) TO A MIXED USED BEAUTY CLINIC AND A3 (USE CLASS) CAFÉ/RESTAURANT (PROPOSED TEA ROOM)

OASIS BEAUTY, 1 WHITELEY LOCAL CENTRE, YEW TREE DRIVE, WHITELEY, FAREHAM, PO15 7LA

Report By

Peter Kneen – direct dial 01329 824363

1.0 Introduction

1.1 The application is being considered by the Planning Committee following the receipt of ten third party letters, including letters of support and objection.

2.0 Site Description

2.1 The application site is located within the designated urban settlement boundary of Whiteley (Western Wards), and within the Gull Coppice Local Centre, which includes a number of local services and facilities, including a community centre, small supermarket, hairdressers, fast food restaurants and a medical centre. To the west of the site, beyond a ribbon of mature trees lies the closest residential developments and to the southeast of the Local Centre lies Whiteley Primary School. To the north of the site lies Gull Coppice, a designated area of open space and local nature reserve.

2.2 There is car parking provision within the Local Centre, and the site is located within close walking distance to a high number of local residential properties.

3.0 Description of Proposal

3.1 The application proposes the partial change of use of the existing beauty clinic, located at first floor level above the existing Co-op Supermarket/Post Office into a tea room. The change of use does not result in the increased floorspace of an existing unit in the centre, and as such the resultant change of use utilises approximately half of the existing floor space, providing a small kitchen area and space for 8 tables.

3.2 The tea room does not include the installation of any commercial extraction, with only sandwiches, toasted sandwiches and cakes to be provided, along with a selection of teas and coffees and other non-alcoholic beverages.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS3 Vitality and Viability of Centres

CS9 Development in the Western Wards and Whiteley

CS17 High Quality Design

Adopted Development Sites and Policies

DSP1 Sustainable Development

DSP2 Environmental Impact

DSP3 Impact on Living Conditions

DSP34 Development in District Centre, Local Centres and Local Parades

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015

Non-Residential Car Parking Standards 2015

5.0 Relevant Planning History

5.1 No recent relevant planning history.

6.0 Representations

6.1 Ten letters from nine households have been received regarding this application. Seven letters of objection have been received and three letters of support. However, two of the objection letters raise no objection to the principle of the change of use. The key objections relate to:

- Impact on car parking provision; and knock-on effect of parking in Hispano Avenue (to the west of the site).

6.2 The letters of support highlighted that the unit is an existing local business which should be supported.

7.0 Consultations

INTERNAL

Environmental Health (noise and pollution)

7.1 Concern raised regarding the potential impact of commercial extraction on the residents in Hispano Avenue. No commercial extraction is proposed (this would be subject to a separate application for planning permission), and therefore following further discussion with Environmental Health, no objection was raised.

8.0 Planning Considerations

8.1 The following matters represent the key material planning considerations which would need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- a) Principle of the change of use;
- b) Impact on Living Conditions of neighbours; and,
- c) Impact on car parking provision.

a) Principle of the Change of Use

8.2 The application proposal the partial change of use of an existing permitted sui generis Beauty Clinic use to enable part of the unit to be used as a tea room, an A3 use class (café/restaurant). Approximately half of the unit would be retained for use as the beauty clinic, offering services such as tanning, facials, massage, hair removal, and other similar beauty treatments, and the remaining half would comprise a small kitchen area, and space for approximately 8 tables.

8.3 The site is located within a designated Local Centre (Gull Coppice Local Centre) and Policy DSP34 makes provision for additional development and changes of use, provided they are of a scale that maintain the current hierarchy of retail centres and ensure an adequate provision of car parking within the designated centre (the matter of car parking provision is discussed in section 8.0(c) below). The Local Centre includes five retail units (four at ground floor level, and the application site at first floor level), comprising two A1 Retail Units (The Co-operative Supermarket and Post Office, and a Hairdressers (Strands Hairdressing), and two A5 Hot Food Takeaway Units (Salt and Vinegar Fish and Chip Shop and Tiger Lily Chinese Takeaway), and the fifth, the application site, a sui generis Beauty Clinic at first floor level, located above The Co-operative.

8.4 As such, the proposal would result in the partial change of use of an existing commercial unit, and would not therefore result in the increase in number of retail units within the centre, whilst also increasing the current level of facilities available.

b) Impact on the Living Conditions of Neighbours

8.5 The Local Centre is well located within easy walking distance to a large part of Whiteley, being centrally located within the centre, and well served by local public footpaths. The nearest neighbouring residential properties are located along Hispano Avenue, to the west of the site. Between the application site and the properties along Hispano Avenue is a belt of mature trees, with the

rear gardens beyond. The closest property, 34 Hispano Avenue is located approximately 35 metres away.

8.6 The proposal does not include the installation of any commercial extraction equipment, as the use is intended to only be serving sandwiches, toasted sandwiches and cakes. This is due to the open, shared nature of the proposed use, and the wish of the applicant not to detract from the existing beauty clinic use with bad cooking odours. It is also highlighted that the installation of any commercial extraction equipment would in itself require a separate application for planning permission. Subsequently the Council's Environmental Health Officer raised no objection to the proposal.

8.7 Given the intended use, and the overall scale of the proposal, it is therefore considered that the partial change of use would not have an unacceptable adverse impact on the living conditions of neighbours.

c) Impact on Car Parking Provision

8.8 Gull Coppice Local Centre, in addition to the five retail units (outlined in paragraph 8.3 (above)), also comprises several other community facilities, comprising:

- Whiteley Community Centre;
- Health Centre (Dental Clinic and Physiotherapy Centre); and,
- Children's Day Nursery.

8.9 In addition, but located outside the designated Local Centre is Whiteley Primary School. The Community Centre and Primary School have a large, shared surface car park comprising 59 spaces (23 for the Community Centre and 36 for the Primary School). The Health Centre and Day Nursery also have a dedicated car park comprising 29 spaces.

8.10 The retail units within the Local Centre itself have a mixture of staff and visitor parking located to the rear of the main building, comprising 9 spaces, and dedicated customer parking comprising 14 spaces. There are also two parking laybys located to the west of the Health Centre, and east of the Children's Day Nursery. These laybys also offer a further 13 spaces.

8.11 All of the third party letters of objection relate to the impact of car parking on the neighbouring residential streets, which residents already consider is subject to cars parking from users of the Local Centre. The Centre is monitored by an enforcement company issuing fines to cars that are parked illegally or for periods exceeding the maximum 2 hours limit.

- 8.12 As highlighted above, the proposed change of use would make use of part of the existing Beauty Clinic floorspace, thereby reducing the amount of space available for beauty treatment, many of which result in customers being in the clinic for several hours.
- 8.13 It is acknowledged that at peak times, particularly when the parents are dropping off and picking up children from the Day Nursery and Primary School that car parking can be difficult, however, the existing Local Centre comprises 36 spaces serving only five retail units (in compliance with the Non-residential parking standards). Those spaces are all limited to a maximum stay of 2 hours (except for the 9 staff/visitors spaces to the rear of the Local Centre), and therefore with the exception of the hairdressers and beauty salon, most visitors to the Local Centre are transitory, with visits likely to last only 10 to 15 minutes (visitors to The Co-op and Hot Food Takeaways).
- 8.14 Therefore, given the existing level of car parking provided in the Centre, together with the re-use of an existing area of the Beauty Clinic rather than an extension to the premises or the creation of a new unit, the proposal is unlikely to have a significant additional impact on the car parking in the Local Centre. This is coupled with the relative location of a number of potential patrons being within close walking and cycling distance to the Centre, ensuring alternative means of accessing the proposed use.
- 8.15 In summary, it is considered that the proposed partial change of use, subject to appropriate conditions, would not have an impact on the viability or vitality of the Local Centre. Based on the above, it is considered that the proposal complies with Development Plan policies and therefore the application is recommended for approval.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall be implemented within three years following the date of this decision.
REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after this time.
2. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:
 - a) Site Location Plan;
 - b) Existing Floor Plan (Drawing: 001);
 - c) Proposed Floor Plan (Drawing: 002).REASON: To avoid any doubt over what has been permitted.

3. The unit shall be used as a mixed use Beauty Clinic (sui generis use) and Tea Room (A3 use) only, and for no other purpose (including any other purpose in Class A3 of the schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any other statutory instrument revoking or re-enacting that Order.
REASON: To ensure the use of the building does not have a harmful environmental effect in the interests of amenity.
4. The use hereby permitted shall not be open to customers except between the hours of 08.00 and 20.00 hours Monday to Friday, and between the hours of 08.00 and 17.00 hours Saturday, Sunday and Bank/Public Holidays.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity.
5. No additional cooking of foods, other than those specified on the email from Oasis Beauty, dated 2 October 2018 (under Additional Supporting Information) shall be undertaken within the premises unless otherwise agreed in writing with the Local Planning Authority.
REASON: In order to protect the living conditions of occupiers of nearby residential properties.

INFORMATIVES:

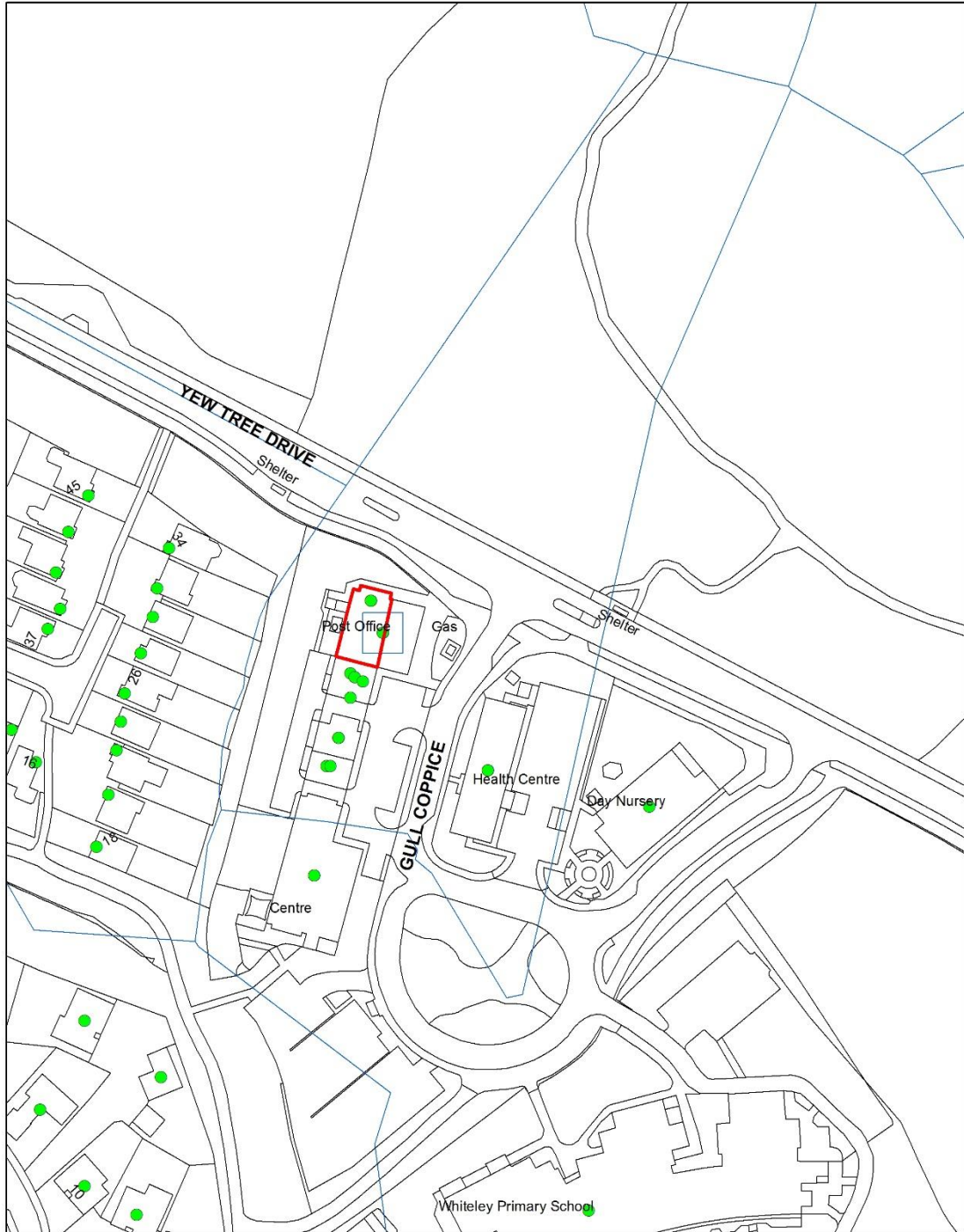
- a) Planning permission would be required for the installation of external works associated with any commercial extraction/ventilation system.

10.0 Background Papers

[P/18/1076/CU]

FAREHAM

BOROUGH COUNCIL



1 Whiteley Local Centre

Scale 1:1,250



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2016