

DARLINGTON BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 14 November 2018

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APPLICATION REF. NO:	18/00690/CU
STATUTORY DECISION DATE:	15 October 2018
WARD/PARISH:	STEPHENSON
LOCATION:	Dirt Busters 59a Yarm Road
DESCRIPTION:	Change of use storage/office area at rear of laundrette (Use Class Sui Generis) to nail bar/beauty salon (Use Class Sui Generis) and external alterations (description amended following receipt of e-mail dated 18 September 2018)
APPLICANT:	Mr Sandeep Sharma

APPLICATION AND SITE DESCRIPTION

The application site consists of an end of terrace property, currently in use as a launderette, situated on the corner of Yarm Road and Stanley Street. The surrounding area is predominantly residential with a block of retail properties on the opposite side of Yarm Road.

Planning permission is sought for the change of use of a storage/office area at the rear of the existing laundrette to a nail bar/beauty salon to be accessed via a new doorway off Stanley Street. A UPVC door and window is proposed to the side (eastern) elevation to accommodate the proposal.

The planning application states that the hours of opening will be: 09:00 to 18:00 Monday to Friday, 09:00 to 17:00 Saturday and 10:00 to 16:00 on Sundays;

The proposal does not show any signage and this may require a separate application for advertisement consent.

PLANNING HISTORY

95/00025/CU – In March 1995 planning permission was granted for Change of use from general dealer and off licence (Class A1) to Launderette.

83/00246/DC – In May 1983 planning permission was granted for the erection of 38 Flats, 1 Dwellinghouse and a Community Centre comprising phase III of the Rocket Street redevelopment.

97/00084/FUL – In June 1997 planning permission was granted for the erection of a single storey extension to rear.

00/00232/FUL – In June 2000 planning permission was granted for the construction of a single storey extension at rear.

PLANNING POLICY BACKGROUND

The relevant local development plan policies are:

Borough of Darlington Local Plan 1997 (Alterations 2001)

E2 – Development Limits

E38 – Alterations to Business Premises

Darlington Core Strategy Development Plan Document 2011

CS1 – Darlington's Sub- Regional Role and Locational Strategy

CS2 – Achieving High Quality Sustainable Design

CS9 – District and Local Centres and Local Shops and Services

CS16 – Protecting Environmental Resources, Human Health and Safety

RESULTS OF CONSULTATION AND PUBLICITY

The Council's **Highways Officer** has been consulted and has raised no objections to the proposed development.

The Council's **Environmental Health Officer** has been consulted and has raised no objections to the proposed development subject to a planning condition to secure submission and agreement of details of a scheme to reduce noise and vibration of any external plant, and effective control of fumes and odours, arrangements for the storage of refuse and waste, together with a planning condition to control the hours of operation.

Five letters of objection were received to the application which raised the following issues:

- *Only 9 parking bays for residents and there are many vehicles that park in these bays and may be a good idea to issue parking permits to residents;*
- *Not enough parking for such a business in this area;*
- *Difficult to get out of Stanley Street because of parked vehicles;*
- *Heard it is going to be used as a massage parlour so that will mean people parking for a lot longer;*
- *The smell of acrylic is horrendous;*
- *Parking on the corner on double yellow lines causes problems now;*
- *There is no call for the facilities they want to provide as we have them already;*
- *As for a massage parlour, what kind of clients does that bring?;*
- *Nice residential area with children and elderly people and we would like to keep it that way;*
- *Numerous nail bars in the area;*
- *Smell that comes from the chemicals used;*
- *Heard that the Council are going to make Peel Street a no parking area by laying double yellow lines and that area is full of cars which at present partially block the road as they do not use the parking facilities provided for the two hubs which have not long been built – so where will they park?- more likely in the bays previously mentioned;*

- *Area will be deluged with groups of youths who could cause noise and possible vandalism to the area ;*
- *Would cause a huge disturbance to this area;*
- *Will create possible calls to the Police ;*

PLANNING ISSUES

The main considerations in the determination of this application are:

- Planning Policy
- Impact on the Character and Visual Appearance of the Building and Surrounding Local Area
- Highway Safety
- Residential Amenity

Planning Policy

Policy CS9 of the Core Strategy 2011 states that individual local shops which meet the day to day needs of the nearby residents without the need to use a car will be promoted.

The policy states that individual local shops, leisure uses and services and small neighbourhood clusters of them which meet the day-to-day needs of nearby residents without the need to use a car will be protected and promoted. Proposed new shops in such circumstances will usually be limited to a maximum gross floorspace of 100m².

The proposed use of part of the existing property as a nail bar / beauty salon, is considered to comply with the above policy, subject to the assessment of the proposal against other development management policies and considerations.

Impact on the Character and Visual Appearance of the Building and Surrounding Local Area

Policy CS2 (Achieving High Quality, Sustainable Design) of the Core Strategy includes provision that new development should reflect or enhance Darlington's distinctive nature; create a safe and secure environment; create safe, attractive, functional and integrated outdoor spaces that complement the built form; and relate well to the Borough's green infrastructure network.

Policy E38 (Alterations to Business Premises) of the Borough of Darlington Local Plan permits alterations to retail and business premises where there would be no material adverse effect on the character or appearance of the building, or the street scene in which the building is located.

It is considered that the external alterations to the building would not harm the character or appearance of host building or the wider street scene and are considered to be acceptable.

As previously stated, any new signage would need to be the subject of a separate planning application for advertisement consent.

Highway Safety

Policy CS2 (Achieving High Quality, Sustainable Design) of the Core Strategy seeks to ensure that new development provides vehicular access and parking provision suitable for its use and location.

Due to the nature of the building (an end terrace) it is not feasible to provide in curtilage parking but the dwelling benefits from a long frontage facing Stanley Street.

The area is characterised by terraced houses without front gardens; and as such very few dwellings have in-curtilage parking and residents rely upon on street parking. Due to the proposed location it is envisaged that many customers will arrive on foot and those who do arrive by car will typically be parked for a short duration enabling a high turnover of customers to park within the available spaces on street.

The Council's Highways Engineer has raised no objection to the proposal.

Residential Amenity

Policy CS16 (Protecting Environmental Resources, Human Health and Safety) of the Core Strategy seeks to ensure that new developments do not harm the general amenity and health and safety of the local community which echoes one of the core principles of the NPPF which seeks to secure high quality design and good standards of amenity for all existing and future occupants of land and buildings.

The existing property is a launderette with store rooms attached to the row of terraced dwellings on Yarm Road and the immediate locality is predominately residential. The proposed would have limited potential to cause disturbance to neighbours due to noise generated by the comings and goings of staff/deliveries/customers and the operation of the business.

The Council's Environmental Health Officer has been consulted and has raised no objections to the proposed development subject to a planning condition to secure submission and agreement of details of a scheme to reduce noise and vibration of any external plant, and effective control of fumes and odours, arrangements for the storage of refuse and waste, together with a planning condition to control the hours of operation. Subject to these controls, the proposal is considered to be acceptable in respect of its impact on the residential amenities for the locality.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION

Having considered the comments from local residents, the Council's Highway Officer and the Council's Environmental Health Officer it is the opinion of Officers, that subject to the conditions recommended below, the proposed change of use nail bar/beauty salon would have an no significant adverse impact on the amenities currently enjoyed by local residents or the visual appearance of the locality.

RECOMMENDATION

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A3 Implementation Limit (3 years)
2. B4a (Materials)
3. No noise emitting fans, louvres, ducts or other external plant associated with this permission shall be installed until a scheme to reduce noise and vibration has been submitted and approved by the Local Planning Authority. REASON – In the interests of residential amenity.

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4. Prior to the use hereby permitted commencing, a scheme shall be submitted to, and approved in writing by the local planning authority for the effective control of fumes and odours from the premises. The scheme shall be implemented prior to the use commencing

REASON – In the interests of residential amenity.

5. The use hereby permitted shall not commence until details of the arrangements for storing of waste or refuse have been submitted to, and approved by, the local planning authority.

REASON – In the interests of amenity.

6. The hours of operation of the property should be limited to 08.00-20.00 Mon-Sat and 09.00-18.00 Sundays and Bank Holidays

REASON – In the interests of residential amenity.

7. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:

- Drg. No. – 59YR 20 08 18 – Proposed Elevations
- Drg. No. – RKD/554/00 – Existing Layout

REASON – To ensure the development is carried out in accordance with the planning permission.

INFORMATIVES

This Environmental Health Team enforces Health and Safety legislation at this premises and the applicant is advised to contact this department prior to the undertaking of any work to ensure that all legislative requirements are met.