

Site Address: 26 North Street, Emsworth, PO10 7DG
 Proposal: Change of use from Class A2 to Sui Generis (Tattoo Studio).
 Application No: APP/17/00140 Expiry Date: 04/04/2017
 Applicant: Mr R Cushion
 Agent: Case Officer: Bee Crawford
 Ward: Emsworth

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is a two storey terraced property with commercial use at ground floor which is currently vacant, and residential accommodation above. It is in a row of five secondary frontage units situated in the North Street area of Emsworth District Centre and has a slate tiled pitched roof with a front parapet wall and upper elevations of red multibrick.
- 1.2 Similar adjoining two storey terraced units are to the north and south and two storey semi-detached commercial/residential properties lie opposite. The area is of medium density consisting of a mixture of two storey terraced commercial units with residential accommodation above of similar and different age, style and design.

2 Planning History

00/56890/001 - Change use of ground floor from A1 to A2 (financial and professional services), permitted 25/10/2000.

91/56890/000 - Change of Use of ground floor from retail (A1) to hot food take away/restaurant (A3), refused 06/02/1992.

APP/11/01119 - Replacement shopfront to include new self contained entrance to first floor flat, permitted 10/08/2011.

3 Proposal

- 3.1 The proposal is for the change of use from Class A2 to Sui Generis (Tattoo Studio). The unit is currently vacant.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

CS4 ()

DM10 (Pollution)

DM14 (Car and Cycle Parking on Development (excluding residential))

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)
AL3 (Town, District and Local Centres)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environmental Health Manager, Community Group

I have read the information and have no adverse comment.

The applicant appears to be aware that he will be requiring a license to operate such business and my Colleague in the Environmental health Commercial Team, will comment directly to you and approach the applicant.

NB: No further comment received.

Planning Policy, PPUD

Policy Status: The Local Plan (Core Strategy) and the Local Plan (Allocations) provide the development plan for the Borough.

The following Policies are of particular relevance:

- CS4 – Town, District and Local Centres
- DM21 – Shopfronts, Signs, Security Shutters and Advertisements

Principle of Development: The site lies within the urban area as defined by Policies CS17 and AL2 of the Local Plan which seek to concentrate new development within the five urban areas of the borough.

The site falls within the Emsworth District Local Centre as defined by Policies CS4 and AL3. These policies generally support appropriate town centre development proposals which support small and independent businesses; moreover, Policy CS4 specifically seeks to promote the vitality and viability of the identified local centres. Therefore, the development is supported by Policy CS4 and in this instance; Policy AL3 parts 3 and 4 do not apply as the existing use is not A1.

Shopfronts and Signs: Policy DM21 states that planning permission will be granted for shopfronts and signs where:

- *“they are appropriate in size, scale and design to the character of buildings and their surroundings”;*
- *“they will not result in a cluttered appearance either on individual buildings or on the streetscene as a whole”.*

The application includes an image of a proposed shopfront with two signs; the top sign is inline with the surrounding streetscene and is thus appropriate in size, scale and design. The lower sign does not appear to relate to the top sign in terms of design or style and the result is not cohesive, either on the building itself or in the streetscene as a whole. The proposed signage is not consistent with the provisions of Policy DM21.

Flooding: The site is not identified as flood zone 2 and/or 3.

Community Infrastructure Levy: As the application is for a change of use from class A2 to Sui Generis, the development will not be CIL liable and will not have to pay the Solent Recreation Mitigation Partnership (SRMP) contribution. Therefore, Policies CS21 and DM24 do not apply.

Marketing: There would be no marketing requirement for the change of use from an estate agency (A2) to a tattoo parlour (sui generis).

This is because the proposal would retain an active frontage and thereby contribute to the vitality and viability of the centre in accordance with the aims and objectives of policy DM2. Furthermore, the proposed change of use would retain a form of economic development through supporting a level of employment on the site.

Recommendation: No objection in principle. However, the proposed frontage is contrary to the provisions of Policy DM21 and a revised frontage design should be considered.

Officer Comment: The applicant has been advised with respect to the signage, which is not being considered as part of this proposal and will be submitting a separate application for advertisement consent.

Retail and Town Centres

Economic Development have no objections to this proposal

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 11

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Policy Considerations
- (iii) Amenity issues
- (iv) Shopfront Design

- (i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to other development management considerations. This site is located within Emsworth District Local Centre, a designated town centre boundary and a primary shopping frontage. As such, Policy CS4 (Local, town and district centres) of the adopted Core Strategy Plan apply.

(ii) Policy Considerations

- 7.3 There would be no marketing requirement for the change of use from class A2 to a tattoo parlour (sui generis). This is because the proposal would retain an active frontage and thereby contribute to the vitality and viability of the centre in accordance with the aims and objectives of policy DM2. Furthermore, the proposed change of use would retain a form of economic development through supporting a level of employment on the site.
- 7.4 In terms of the land use principles, it is considered that the proposal would comply with policy CS4 regarding supporting small and independent businesses and encouraging mixed use development in designated centres that retain active ground floor frontages. The current proposal for a tattoo studio, would be open during the day and active over the lunch time period generating pedestrian activity serving visiting members of the public. .

(iii) Amenity issues

- 7.5 It is considered that the proposed use of the building would not result in excessive noise which would result in an unacceptable disturbance for nearby residential properties. Furthermore, opening times are restricted to daytime hours.

iv) Shopfront Design

- 7.6 Policy DM21 of the allocations plan specifically considers shop fronts and requires that their design to be appropriate in size and scale. The signage details submitted with the proposal have not been considered as part of the application and the applicant has been advised a separate application for advertisement consent will be required.

8 Conclusion

- 8.1 It is considered that the use of the site for a tattoo studio complies with policy and would have no detrimental impact on neighbouring residential amenity. The proposal accords with the requirements of Policy CS4 and is therefore recommended for permission to be granted.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00140 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The premises shall only be open for trade or business between the hours of 0930 to 1730 (Monday to Friday), 0930 to 1500 on Saturdays and 1000 to 1500 on Sundays and Bank Holidays.
Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:
Location and existing layout plan
Proposed layout plan
Proposed layout plan with dimensions
Reason: - To ensure provision of a satisfactory development.