
Site Address:	2 St Marys Road, Hayling Island, PO11 9BY		
Proposal:	Change of Use from A1 (Retail) to Sui Generis (Tattoo Studio).		
Application No:	APP/14/00746	Expiry Date:	25/09/2014
Applicant:	Mr P McLachlan	Team:	Team 2
	Madam's House of Ink		
Agent:		Case Officer:	Heather Lealan
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

2 St Marys Road is located on the southern side of St Marys Road. To the east of the site is the post office sorting office and to the west of the site are two, two-storey residential properties. To the rear of the site is a vehicle repair garage with an MOT building located adjacent to the southern boundary of the site. The retail ground floor unit is currently empty and there are residential flats at first floor level.

2 Planning History

No relevant planning history on Acolaid

3 Proposal

- 3.1 Change of use of use from A1 (retail) to tattoo studio (sui generis).

4 Policy Considerations

National Policies

NPPF

Core Strategies 2011 forming part of the HBLDF

CS16	(High Quality Design)
CS3	(Skills and Employability)
DM10	(Pollution)
DM14	(Car and Cycle Parking on Development (excluding residential))

Local Plan (Allocations)

A1 Presumption in favour of sustainable development

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Economic Development - The unit is on it's own in a very secondary position. Therefore no ED objections to the proposal.

Environment Health - No objection to the proposed use.

Highways - No adverse comments to this application. No conditions.

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: 17

Number of site notices: one site notice

Statutory advertisement: Not applicable.

Number of representations received: 1

Summary

a) St Mary's road is a mainly residential area and this type of establishment is not fitting for a family area. Type of clientele is not suitable for a residential area. Drinking and smoking on the pavement outside the shop.

b) Increased parking and the area cannot accommodate it.

c). I feel the landlord did not give the unit enough time to let to another retail establishment.

d). Open at weekends and evening would create problems for families in the road due to noise, drinking, smoking and language (which has been evident while the shop has been refurbished)

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) Impact of design on existing building and character of the area
- (iii) Impact on neighbouring properties
- (iv) Highway Safety and Parking Implications

(i) Principle of development and loss of retail unit

7.2 The application complies with Core Strategy policy C3 and it is outside of the district centre and so the loss of A1 is not considered unacceptable. The retention of a business use is preferable to the loss of the unit entirely to a residential use which could be undertaken in accordance with the update 2013 permitted development rights.

(ii) Impact of design on existing building and character of the area

- 7.3 The proposal does not involve any significant changes to the external appearance therefore it is not considered that the change of use proposed would be visually detrimental to the amenities of the streetscene or adjacent neighbouring property. It is considered the change of use will have no material impact on the character and appearance of the area which is adjacent to the district centre.

(iii) Impact on neighbouring properties

- 7.4 The change of use is not considered to result in detriment to the adjacent and adjoining neighbours properties. The unit has an established commercial use and in general principles the use as a tattoo studio is not of concern with regard to noise generation. Opening hours should be conditioned. It is not considered that the use proposed could be proven to increase anti-social behaviour within the locality and late night and Sunday opening is not proposed.

(iv) Parking Implications

- 7.5 The development engineer has not raised objection to the application as it replaces an A1 use or required any conditions. Such a use may create less multi-modal trips than an A1 use and the application must be considered on this principle.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/14/00746 subject to the following conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Email of the 31 July 2014 from Peter McLachlan providing details of the operation
Email of the 31 July 2014 From Peter McLachlan describing opening hours with the further email of the 9 September 2014 which amends the opening hours on Mondays only
Site Location Plan received 15 July 2014
Floor Plan received 15 July 2014
Block Plan received 15 July 2014

Reason: - To ensure provision of a satisfactory development.
- 3 The premises hereby permitted shall not open to the public before 09:00 hours or remain so open after 17:00 hours on a Monday, Tuesday, Thursday, Friday and Saturday or at any time on Wednesday, Sunday or any recognised Public Holiday.

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 2012.