

Parish:	Thornham	
Proposal:	Change of Use from Hair Salon to Residential Unit	
Location:	The Vanity Box High Street Thornham Norfolk	
Applicant:	Mrs L Bailey	
Case No:	19/00011/F (Full Application)	
Case Officer:	Mr James Sheldrake	Date for Determination: 1 March 2019 Extension of Time Expiry Date: 8 March 2019

Reason for Referral to Planning Committee – Called in by Councillor Watson

Neighbourhood Plan: No

Case Summary

The application site comprises a hair salon (currently in use) on the southern side of the High Street in Thornham, to the east of the junction with Hall lane. Thornham is classified as a Rural Village according to Policy CS02 of the Local Development Framework Core Strategy.

The site is located within the development boundary of Thornham and the Thornham Conservation Area.

The proposal seeks consent for the change of use from a hair salon to a single bedroom dwelling.

Key Issues

Principle of Development
 Loss of community facility
 Impact upon the setting of Thornham's Conservation Area
 Impact upon Neighbour Amenity
 Highway Safety Issues

Recommendation

REFUSE

THE APPLICATION

Thornham is classified as a Rural Village according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The site is located within the development boundary of Thornham and the Thornham Conservation Area. The building is not labelled an Important Unlisted Building in the Thornham Conservation Area Character Statement.

The site comprises a small hair salon operating from a single-storey building, set back from the road, with parking to the front. The property is set off the High Street between two residential properties either side. On the west boundary of the site is a hedge and fence and on the east boundary is the gable wall of the neighbouring dwelling.

SUPPORTING CASE

The Hair Factory salon sits in the centre of Thornham, within Built Environment Type C and Thornham Conservation area. The proposed site sits within both the development and settlement boundaries of Thornham, thus meaning the site is suitable for residential development and does not sit within the countryside.

The proposal being presented includes the Change of Use of the existing hair salon to a one bedroom residential unit with parking and amenity space to the front.

There are a number of reasons which have led to this proposal being submitted by the applicant and owner of the building and business, all of which should be taken into consideration.

Current staff have other commitments and ambitions arising within the very near future, resulting in them vacating the business, however it is important to note that the businesses was offered to existing staff members. Finding staff within this rural and seasonal area is extremely difficult, something the occupant has tried a number of times throughout the years of operation, employment has always been an issue.

The applicant, who currently works within the business, simply cannot continue to work due to health and personal reasons, stemming from the job itself. A 'frozen shoulder' and 'worn out rotator cuffs' have led to the inability to continue to work in the current climate - through staff shortages this will make an already unmanageable situation worse.

The proposal being presented provide a one-bedroom residential unit. To the rear of the building will be a kitchen with external access, shower room and small utility area. To the front of the building will be a single bedroom and dining / living space. Externally, a small amenity space shall be provided and a single parking space.

I must stress that no external changes to the elevations of the existing building are required or part of this proposal - all windows, doors and facades shall remain as existing.

Frequently there are 3 vehicles parked to the front of the salon, with further cars parked on the highway. Through this change of use the vehicle movements and intensification will be dramatically reduced. By providing one bedroom, one parking space is required. This reduces the potential number of vehicle spaces from 3 to 1.

Vehicle movements are extremely frequent at a hair salon, with consumers arriving and leaving up to every 30 minutes. Again, through this change of use this will be dramatically reduced.

PLANNING HISTORY

18/01875/F: Application Withdrawn: 04/12/18 - Change of use from Hair Salon to Residential dwelling

2/91/2332/CA: Application Permitted: 21/11/90 - Retention of extension to hair salon and incidental demolition to form opening to new extension.

2/89/2687: Application Permitted: 12/06/90 - Extension to existing hair salon.

2/79/1769/F- Conversion of garage to bedroom.

RESPONSE TO CONSULTATION

Parish Council: **SUPPORT**

Highways Authority: **NO OBJECTION** Should your Authority be minded to the grant of consent, I would seek to append the following conditions to any consent notice issued:-

SHC20 - Prior to the first occupation of the development hereby permitted the proposed on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking area, in the interests of satisfactory development and highway safety.

Community Safety and Neighbourhood and Nuisance: **NO COMMENT RECEIVED**

Norfolk Coastal Partnership: **NO OBJECTION**

Conservation Officer: **NO OBJECTION**

Environmental Quality Officer: **NO OBJECTION**

REPRESENTATIONS: None.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS07 - Development in Coastal Areas

CS10 - The Economy

CS12 - Environmental Assets

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM9 - Community Facilities

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

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

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

PLANNING CONSIDERATIONS

The main planning considerations in regards to the application are:-

1. Principle of Development
2. Loss of community facility
3. Form and Character, and the Impact upon the setting of Thornham's Conservation Area
4. Impact upon Neighbour Amenity
5. Impact on Highway Safety

Principle of Development

The proposal seeks consent for the change of use from a hair salon to a dwelling. As the site is within the development boundary the principle of development is acceptable, provided the proposal complies with Local Plan policies, particularly those relating to the retention of community facilities.

Loss of community facility

Policy CS10 of the King's Lynn and West Norfolk Borough Council Core Strategy (2011) states that the Council will seek to retain land or premises currently or last used for employment purposes unless it can be demonstrated that continued use of the site for employment purposes is no longer viable, taking into account the site's characteristics, quality of buildings, and existing or potential market demand.

Policy DM9 of the Site Allocation and Development Management Policies Plan 2016 (SADMPP) states that:

"The Council will encourage the retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth.

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Development leading to the loss of an existing community facility will not be permitted unless it is demonstrated that either:

- a) the area currently served by it would remain suitably provided following the loss, or if not
- b) it is no longer viable or feasible to retain the premises in a community use."

The premises are clearly an existing community facility in an area with relatively poor levels of provision.

Within the policy approach subsection of DM 9 it is stated that for part b) of Policy DM9, "evidence of marketing the business or premises for a sustained period (usually a minimum of 12 months), at a price reflecting the authorised uses, details of income/profit achieved in recent years, evidence of significant long term changes in the relevant market" is required to justify the loss of the existing community facility. The applicant has failed to provide any evidence to demonstrate that it is no longer viable or feasible to retain the premises in a community facility use. Therefore, the proposed development is contrary to Policy DM9.

The National Planning Policy Framework (NPPF) 2018 also supports the retention of shops and other community facilities, particularly in rural areas. The relevant Paragraphs of the NPPF are 84 and 92.

Form and Character, and the Impact upon the setting of Thornham's Conservation Area

The only external change is the conversion of two parking places to outdoor amenity space to the front of the property and the addition of a low picket fence to the outside of the amenity space. Although small, the outdoor amenity space is considered sufficient given the size of the proposed dwelling. Additionally, there is an area to the rear for the storage of bins which is currently used by the business for bin storage. The proposed development is not considered to cause harm to the character and appearance of the Thornham Conservation Area.

Impact upon Neighbour Amenity

The external dimensions of the property aren't changing and the proposal won't introduce any new windows. Therefore, the impact on neighbour amenity is acceptable.

Impact upon Highway Safety

Due to the existing use of the site, and the reduction in parking required; the Highways Officer has no objection to the proposed development, subject to condition. Therefore, the impact on highway safety is acceptable.

CONCLUSION

Members will need to consider whether the proposed loss of a community facility in an area with low provision is acceptable given that it hasn't been demonstrated that it is no longer viable or feasible to retain the premises in a community use, as required by Policy CS10 of the Core Strategy and Policy DM9 of the SADMPP.

It is the opinion of Planning Officers that without evidence demonstrating that it is no longer viable or feasible to retain the premises in a community use, the proposed development is

contrary to Site Allocations and Development Management Policies Plan (2016) Policy DM9, and there are no material considerations considered to outweigh the policy objection. Therefore, the proposed development is recommended for refusal.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposed development would result in the loss of a community facility in the heart of the village where there is low provision. The application as submitted fails to clearly demonstrate that the continued use of the premises as a hair salon or alternative community facility use is unviable. No evidence of marketing the business or premises for a sustained period, details of income profit achieved in recent years, or evidence of significant long term changes in the relevant market have been submitted. In the absence of this information there is insufficient evidence to demonstrate that the property has been satisfactorily marketed and that the existing use or an alternative community facility use is not viable. As a result the proposal fails to accord with the provisions of Site Allocations and Development Management Policies Plan DM9; Policies CS01, CS08 and CS10 of the King's Lynn and West Norfolk emerging Core Strategy (2011); and Paragraph 92 of the NPPF 2018.