

PLANNING APPLICATIONS COMMITTEE

12th December 2013

Item No:

UPRN	APPLICATION NO.	DATE VALID
	13/P3021	18/09/2013
Address/Site:	Ground floor, 149 Cannon Hill Lane, Raynes Park, SW20 9BZ	
(Ward)	Cannon Hill	
Proposals	Application for the change of use of the existing hairdressers (Use Class A1) to a tattoo parlour (Sui Generis)	
Drawing No's	Site location plan and drawings 'Proposed tattoo Studio Layout' dated 20 November 2013	
Contact Officer	Leigh Harrington (020 8545 3836)	

RECOMMENDATION

Grant planning permission subject to planning conditions.

CHECKLIST INFORMATION

- Head of agreement: No.
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted – No
- Number of neighbours consulted – 9
- Press notice – No
- Site notice – Yes
- External consultations: One
- Density - N/A
- Number of jobs created - 2
- Flood risk assessment – N/A

1. INTRODUCTION

- 1.1 This application is brought before the Planning Applications Committee due to objections received which relate to the principle of the use and which cannot be addressed by condition and thereby falls outside the scheme of delegation for officers to determine the application.

2. SITE AND SURROUNDINGS

- 2.1 The application site is a ground floor shop unit located within a designated Neighbourhood Parade on the Northeast side of Cannon Hill Lane near the junction with Monkleigh Road in Raynes Park. The premises were in use as a hairdressers until June 2013 since when it has remained vacant.
- 2.2 The site has a Public Transport Accessibility Level of 2 with part on-pavement parking outside the front of the parade. The site is not within a flood risk zone nor a conservation area.

3. CURRENT PROPOSAL

- 3.1 The proposal seeks planning permission to change the use of the currently vacant hairdressing salon from Use Class A1 to a tattoo parlour which is a Sui Generis use.
- 3.2 The internal layout would remain similar to the existing use with the front of the premises being used for the customer area with a reception desk and customer seating area. The tattooing would occur in a partitioned area towards the rear of the premises whilst the rear of the site would remain a staff area. The exterior of the premises would remain unaltered other than a new shop name advert in place of the existing.

4. PLANNING HISTORY

- 4.1 06/P2904 planning permission granted for erection of a single storey rear extension to provide a store in connection with the use of the ground floor as a shop (use within Class A1).
- 4.2 11/P0408 Planning permission granted on appeal for first floor rear extension, to provide storage space for the ground floor retail use, to be accessed via an external staircase.

5. CONSULTATION

- 5.1 The proposal was advertised by means of a neighbour notification letter and a Site Notice. There were four written objections to the proposal raising concerns relating to;
- Little local demand for a tattoo parlour.
 - Inappropriate business for a family residential neighbourhood.
 - Proposal will not be a service for the local community and benefit very few people
 - 'It will not improve the outlook of the local parade'
 - The use is not compatible with a shopping frontage
 - The use will harm the vitality and viability of the neighbourhood parade
 - The council should protect the A1 use for the benefit of the elderly and less mobile.
- 5.2 An E-petition was submitted signed by 12 persons including the local MP and two Councillors. Objections included it being an inappropriate use and one that would not serve local needs.
- 5.3 Five letters of support were received from local residents.
- 5.4 Metropolitan Police Designing out Crime Officer raised no concerns or objections.
- 5.5 Environmental Health officers had no objections to the proposal. If approved, the use will be subject to the requirements of a Special Treatments Licence that is issued and monitored on an annual basis by the Council.

~~CONVINCED THIS CAN BE JUSTIFIED AND SEEMS EXCESSIVE~~

- 5.6 Future Merton - Retail Policy officer. No objection to the proposal.

6. POLICY CONTEXT

London Plan (2011)

- 6.1 The relevant policies in the London Plan (2011) are:
4.1 Developing London's Economy

LDF Core Planning Strategy 2011

- 6.2 The relevant policies in the LDF Core Strategy 2011
CS 12 Economic Development
CS 14 Design
CS 20 Parking, servicing and delivery

Unitary Development Plan (2003)

- 6.3 The relevant policies in the Council's Adopted Unitary Development Plan (October 2003) are:
S 4 Neighbourhood Parades
BE 22 Design of new development.

7.0 PLANNING CONSIDERATIONS

- 7.1 The principal planning considerations relate to the impact of the change of use of these premises on the neighbourhood parade within which it is located including the impact on neighbour amenity.
- 7.2 Saved UDP policy S4 relates to developments within designated Neighbourhood Parades and states that permission for uses outside Class A1 (shops) will be permitted where; 'The proposed use is compatible with a shopping frontage and provides a direct service to the general public'
- 7.3 It is considered that the proposed tattoo parlour is a form of development that would be expected to be found within a parade of shops. Whilst there have been objections to the proposal, stating that this type of use/activity is not suitable for a family residential area, although the new use would not be A2 (financial and professional services) or A3 (food and drink) (as recommended in the policy as alternative suitable uses) it would offer a direct service to the public whereby, as with the previous use.
- 7.4 Saved UDP policy S4 also requires that 'The proposal does not harm the vitality or viability of the shopping parade or result in a significant break in the A1 frontage.'
- 7.5 The existing hairdressers have been vacant for five months and consequently it does not contribute to the existing vitality and viability of the shopping parade. It is considered that given the current difficulties with the economy a proposed new use that will create employment opportunities and bring a vacant unit back into use should be encouraged. The site is located within a small terrace of four commercial units within the overall parade and it will remain neighboured by an A1 Locksmiths, a Mini Market food retailer and a pharmacy. Either side of this terrace there is a dental practice and a medical centre. It is considered that the replacement of the vacant hairdressers with the tattoo parlour would not lead to a significant break in the A1 frontage. A significant break is defined in policy S4 as being two adjoining units.
- 7.6 Saved UDP policy S4 also requires that 'The use will not result in a significant diminution of local pedestrian accessible shopping facilities'. Whilst the previous use fell within use Class A1 it did not offer A1 retail

- shopping facilities and the site will remain adjacent to a mini market offering convenience shopping facilities to local residents. Consequently officers consider that the proposal will not reduce the availability of this form of convenience shopping facility and given that the proposed use is sui generis, any future change of use would require planning permission thereby allowing the Council a degree of control over future uses.
- 7.7 Policy S4 criteria (iv) requires that 'A window display is provided'. The proposal will not alter the appearance of the front of the premises with the windows still offering a view into the premises and the reception desk and seating area that will occupy the front of the premises.
- 7.8 Finally S4 requires 'No adverse effects on the amenities of nearby residents, road safety, car parking or traffic flows would result'.
- 7.9 The use would operate from 10am to 6pm on Mondays to Fridays and 10am to 5pm on Saturdays being closed on Sundays and bank holidays and consequently would not be introducing any unsocial out of hours activities as may have been the case under an A3 use as suggested by policy S4 as being a suitable replacement use. Due to the nature of the tattooing process the applicant estimates that the maximum capacity for the premises would be of a similar level to that of the hairdressing use and therefore the use is not considered one that would create noise and disturbance to residents from either pedestrian based customers or those choosing to drive and as such would have no more impact than was experienced from the previous use. The tattooing equipment would generate no more noise than equipment in the hairdressing salon and therefore conditions relating to noise are not considered to be required.
- 7.10 In the draft Merton Sites and Policies Plan (2013) this parade of shops will be amalgamated with the adjoining parade at 242-262 Martin Way and change of use applications would be subject to policy 'DMR4; Protection of shopping facilities within designated shopping frontages'. This policy sets out broadly similar criteria as UDP policy S4 but with the addition of a requirement for an active shop frontage, which this proposal would provide. Consequently whilst this policy cannot be given the same weight as adopted UDP policies at this stage it is considered that the proposal would still accord with the Council's emerging planning policies.
- 7.11 Design and Appearance.
Other than a change of name and signage in the same positioning as the existing signage there will be no alteration to the appearance of the site and therefore it is considered that the proposal does not require consideration under policy BE 22.

7.11 Parking and servicing.

Core Strategy Policy CS 20 requires developers to demonstrate that their proposals will not adversely affect the safety and convenience of local residents nor increase pressure on on-street parking capacity. Officers consider that the site has sufficient on road parking in front of the site to accommodate the numbers of customers that will utilise the site without contravening policy CS20.

7.12 Economic development and employment opportunities

London Plan policy 4.1 and Core Strategy policy CS 12 encourage the development of a diverse local economic base in the borough and this proposal will introduce a new small business into a unit that has stood vacant for nearly a year and has the potential to increase footfall and provide custom for the adjoining businesses.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT

Environmental Impact Assessment

- 8.1 The proposals fall outside the scope of Schedule 2 development under the Town and Country Planning [Environmental Impact Assessment] Regulations 2011 and therefore there are no requirements for an Environmental Impact Assessment in this instance.

9. CONCLUSION

- 9.1 The National Planning Policy Framework 2012 has a presumption in favour of sustainable development whilst the London Plan 2011 and the LBM Core Strategy 2011 seeks to encourage economic diversity in the borough. The existing unit has remained vacant for nearly a year and the new use as a tattoo parlour is considered to be one that accords with all the requirements of saved UDP Policy S4 in utilising a vacant A1 site and thereby improving the existing vitality and viability of the shopping parade without having a negative impact on the amenity of local residents.

- 9.2 The application is considered to accord with all relevant planning policies and is therefore recommended for approval subject to planning conditions.

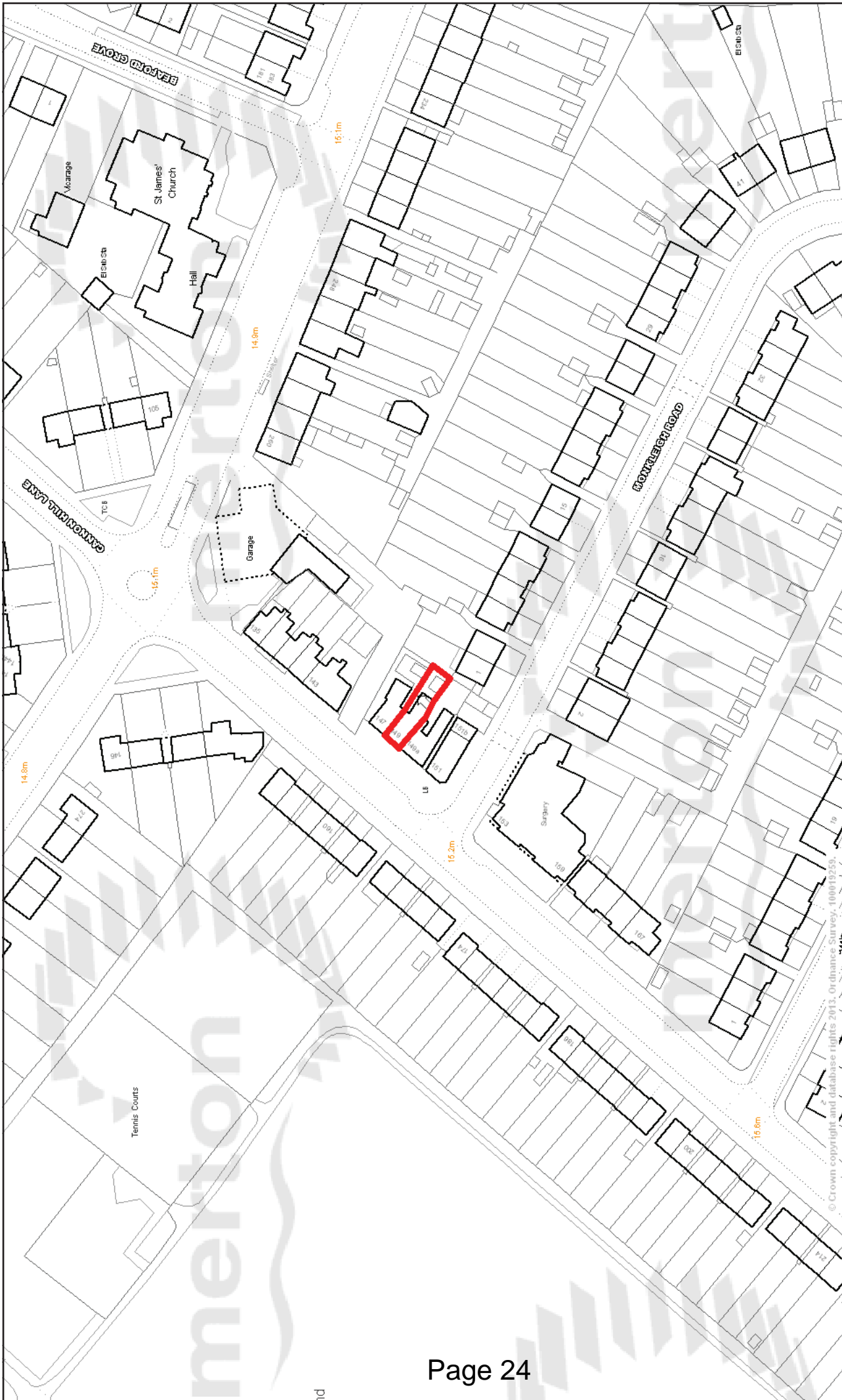
10. RECOMMENDATION

Grant planning permission subject to the following conditions:

1 A1 Commencement of Development

The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.
Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2 A7 Construction in accordance with plans Site location plan, drawing
'Proposed tattoo Studio Layout' dated 20 November 2013



London Borough of Merton
 100 London Road
 Morden
 Surrey
 SM4 5DX

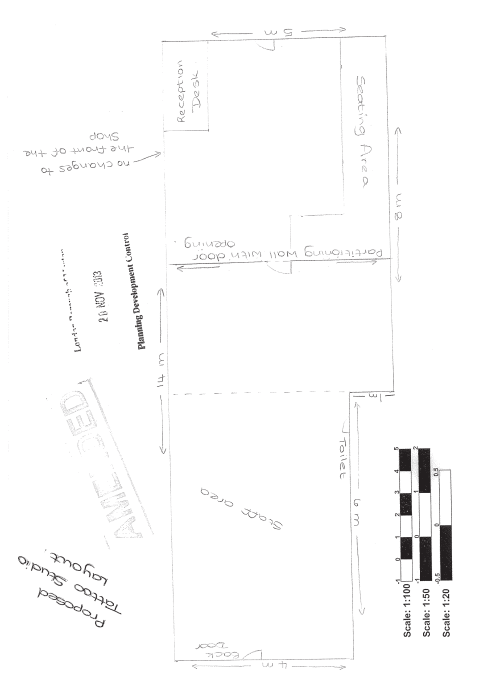
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Date 26/11/2013

149 Cannon Hill Lane

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DEVELOPMENT CONTROL



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