

Parish: Sowerby
Ward: Sowerby and Topcliffe

Committee Date: 22 December 2022
Officer dealing : Mr Connor Harrison
Target Date : 10 January 2023
Extension of time: -

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22/02618/FUL

Change of use from hairdresser to beautician and hairdressers.

At: 1 Sowerby Road, Sowerby, Thirsk, YO7 1HR
For: Peter Bardon

This item is presented to the planning committee as the applicant is an elected Member

1.0 Site, context and proposal

- 1.1 The site is located within Thirsk's Conservation Area and the Thirsk and Sowerby Article 4 Area. It is also located within Thirsk's defined Town Centre.
- 1.2 The proposed location of the development is 1 Sowerby Road, located at the junction of the A61 and the B1448 where the parishes of Thirsk and Sowerby meet. The application site is an existing commercial building currently in use as a hairdressers.
- 1.3 This proposal seeks a change of use for the property, going from a hairdressers (Use Class E) to a hairdressers/beauticians (Sui Generis).

2.0 Relevant planning and enforcement history

- 2.1 03/00530/FUL - Alterations to existing shop to re-establish front door and window –permitted.

3.0 Relevant planning policies

- 3.1 As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

The relevant policies of the Development Plan and any supplementary planning policy advice are as follows:-

Policy S1 - Sustainable Development Principles
Policy S3 – Spatial Distribution
Policy S7 – The Historic Environment
Policy EG3 – Town Centre Retail and Leisure Provision
Policy E2 – Amenity
Policy E5 – Development Affecting Heritage Assets
Policy IC2 – Transport and Accessibility

4.0 Consultations

- 4.1 Sowerby Parish Council - No objections.
- 4.2 Neighbours and Site Notice – No response.
- 4.3 Historic England – Refer to Conservation Officer’s recommendations.
- 4.4 Conservation Officer – No comments to make.
- 4.5 Ancient Monuments Society – No response.
- 4.6 Environmental Health – No response.
- 4.7 Ancient Monuments Society – No response.
- 4.8 Council for British Archaeology – No response.
- 4.9 NYCC Highways – No objections.
- 4.10 RAF Linton on Ouse – No objections.
- 4.11 Natural England – No response.
- 4.12 Yorkshire Wildlife Trust – No response.
- 4.13 Yorkshire Water – No response.

5.0 Analysis

- 5.1 The main issues for consideration are i) principle of the proposed use within the site and wider area; ii) impact upon the character and appearance of the locality; iii) impact upon the amenity of nearby residents; iv) provision of parking.

Principle of the proposed use within the site and wider area

- 5.2 The proposed use would not differ from the existing use to a degree which causes immediate concern. Within defined Town Centres there is support from Policy EG3 where there is a clear commercial aspect to the site and the use respects the centre’s character. This is considered to be the case within this application, where the proposed use is considered to be appropriate to the building and the area.

Impact upon the character and appearance of the locality

- 5.3 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an Authority’s planning function, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The NPPF at Paras. 189, 190 and 192 requires an assessment of the potential harm a proposed

development would have upon the significance of a designated heritage asset.

- 5.4 There are no external alterations proposed as part of the scheme. As a result of the lack of external work and the suitability of the proposed use within the area it is considered that there will be no harm caused to the Conservation Area and that the application is in accordance with Policies S7 and E5.

Impact upon the amenity of nearby residents

- 5.5 The proposed hours of use are 08:00-19:00 Monday to Saturday which are considered to be consistent with the proposed business and with the town centre location. It is unlikely that the proposed use would generate an unacceptable level of noise and so, whilst there are residential units in close proximity to the site, it is considered that the proposed use would not have a detrimental impact on their inhabitants. The proposal is considered to be consistent with the requirements of Policies EG3 and E2.

Provision of parking

- 5.6 The amount of staff present on site will drop from 4 to 2, reducing pressure for parking. The site is within the town centre and so is able to benefit from the large amount of parking sites available in Thirsk, with a number of car parks (Marketplace, Nursery, Marage, etc.) within walking distance of the site. Further, NYCC Highways have not identified any issues and so it is considered that the proposal is compliant with Policy IC2.

Planning balance

- 5.7 The proposed use is considered to be appropriate to the town centre location of the site. Additionally, the proposal does not impact the external character of the site, does not increase the burden on the highways system and would not result in harm to the amenity of nearby residences. It is then considered that the scheme complies with Policies S7, EG3, E2, E5 and IC2 and that it would have a no harm to the character, appearance and setting of the Conservation Area.

Recommendation:

- 6.1 That subject to any outstanding consultations the application be **APPROVED** subject for the following conditions(s)
1. The development hereby permitted shall be begun within three years of the date of this permission.
 2. The permission hereby granted shall not be undertaken other than in complete accordance with the details received by Hambleton District Council on the 15th of November 2022 unless otherwise approved in writing by the Local Planning Authority.
 3. The hours of operation for the approved use shall be within 08:00 and 19:00 Monday to Saturday only unless otherwise approved in writing by the Local Planning Authority.

The reasons are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Hambleton Local Plan Policies S3 and EG3 and National Planning Policy Framework.
3. To ensure that the operation of the development is compatible with the immediate surroundings of the site and the area as a whole and will not harm residential amenity in accordance with Hambleton Development Plan Policies S1 and E2.