

Application Recommended for Delegation

APP/2008/0227

Gannow Ward

Full Planning Application

Proposed change of use from dwelling to barbers with new shop front and creation of two flats

330 PADIHAM ROAD, BURNLEY

Background:

Objections have been received.

Summary of Reason for Recommendation:

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

CF11 - District and local centres

E25 - Shop fronts

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

H11 - Living over shops and other commercial premises and housing and training projects

H12 - Non-residential uses in residential areas

H15 - Conversion and re-use for flats and bedsits

TM15 - Car parking standards

Site History:

TP11624 – alterations and c/u of ground floor to form extension to shop area and formation of flat at 1st and 2nd floors – approved

12/75/0535 – C/u from shop to lounge – approved

12/92/0679 – C/u from dwelling to hot food take-away with living accommodation above - refused

Consultation Responses:

Highways – The proposal is located within the existing retail area and the proposed business is likely to attract local residents on foot or with a combined shopping trip. In respect of the residential element, the residents will be able to utilise existing on-street facilities and the property is served by the adjacent quality bus route.

Environmental Health – Have no comments to make.

Residents – 4 letters objecting on the following grounds;

- a) Parking – residents on Padiham Road have to park on side streets because of yellow lines. Additional cars will mean additional cars parking on the streets.
- b) There are existing hairdressers in the area- an additional one is not required (*this is not a planning consideration*).
- c) Concerned that the premises may be converted into a take-away (*a take-away comes within a different use-class and a change of use would therefore be required*).
- d) Concerned about what sort of tenants will occupy the flats (*this is not a planning consideration*)

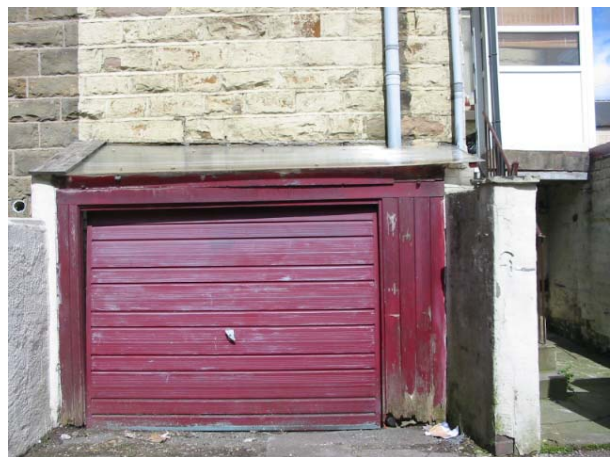
Planning and Environmental Considerations:

The proposals involve the change of use of the dwelling to a barbers shop on the ground floor and the creation of a flat in the basement together with a 2nd flat on the first/second floors. The property has been used as a shop with a flat above previously and has had the shop window removed and a domestic type window inserted (other dwellings in the row have bay windows).

The main considerations are whether a shop is acceptable in this location, whether adequate accommodation can be provided for the flats, whether a new shop front can be incorporated of an acceptable design and whether parking is an issue.



front



rear



gable end



shop (no.334)

The property is an end terraced in a mixed row of dwellings and shops and is located within a Local Centre (shopping – as defined in the Local Plan) on Padiham Road.

Barbers shop

The property has been a shop in the past but now has a domestic type window in the ground floor front elevation (other dwellings in the row have bay windows at ground floor level). It is proposed to retain the existing doorway but to insert a new shop front. An acceptable design has yet to be agreed.

Basement flat

At the rear the existing garage door/garage extension would be removed and replaced by a domestic window. There are windows in the side and rear elevation at basement level (the basement is at ground floor level at the rear and has a separate door). The flat will consist of a lounge/dining room, a kitchen, bedroom and bathroom with separate toilet.

First/second floor flat

The rooms in the first floor flat would consist of a lounge; separate dining kitchen, bedroom and bathroom with a separate bedroom in the attic.

Parking

The barbers shop is likely to attract local residents on foot with some customers arriving by car. There is adequate on street parking in the area for customers and the occupiers of the flats. The property is also on a quality bus route. The Highway Authority have no objections to the proposals on highway grounds.

Local Plan policy CF11 – District and Local Centres - The Council is seeking to improve the vitality and viability, environment quality and accessibility of the District and Local Centres.

The Council will permit:

- a) New retail development of appropriate scale and character (*the proposal is considered to be of an appropriate scale/character*);
- b) Bringing back into use vacant units;
- c) Local service uses;
- d) The re-use of upper floors;
- e) Improvements to shop frontages;
- f) Hot food takeaways where they do not conflict with Policy CF13;
- g) Environmental improvements;
- h) Measures to reduce traffic impacts.

Local centres are described as small groups of shops usually comprising a newsagent, grocery store, sub-post office and other local shops. Local centres perform an important role in providing a range of facilities within walking and cycling distance of where people live and work. It is important for local centres to provide a range of shops and a quality environment that will enable them to compete effectively with larger superstores etc.

The Council support the development of new shops and other uses that will enhance the attractiveness of the local centre.

The proposal is considered to be in accordance with the aims of the policy and will provide a useful service for local residents.

Residential Amenity

It is considered that residential amenity will not be affected by the proposals. The adjoining property is a dwelling. Impact in terms of noise and disturbance on this property will be minimal; the use as a barbers shop is not a noisy use and the proposed opening hours are 9am to 5pm Monday to Friday and 9am to 12.30 on Saturdays. In order to avoid disturbance to the adjacent dwelling a condition is suggested restricting the opening hours of the shop to 8am to 6pm Mondays to Fridays, 8am to 1pm Saturdays and no opening on Sundays and bank holidays.

The Highway Authority have no objections and on-street parking is considered to be adequate.

Conclusion

Providing an acceptable shop front design can be agreed the proposals are considered to be acceptable and in accordance with the Local plan policies listed above.

Recommendation: That the Head of Planning and Environment be delegated to approve the application once an acceptable shop front design has been agreed subject to the following conditions and any others, which are considered to be necessary in connection with the new shop front.

1. The development must be begun within three years of the date of this decision.
2. The shop shall not be open between the hours of 6pm and 8am Monday to Friday, 1pm and 8am on Saturdays and not at all on Sundays and Bank Holidays.

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of residential amenity in accordance with policy H12 of the Burnley Local Plan Second Review.