

DELEGATED DECISION REPORT

SMD/2016/0785
Valid 23/12/2016

89 HIGH STREET
CHEADLE

PROPOSED CHANGE OF USE
FROM (A1) SHOP TO SUI
GENERIS TATTOO PARLOUR

(FULL - MINOR)

MAIN ISSUES

- Principle of the change of use in policy terms
- Impact on the vitality and viability of the town centre
- Impact on highway safety and residential amenity

DESCRIPTION OF SITE

89 High Street comprises of a mid terraced property which lies on the south eastern side of the highway close to its junction with The Terrace and Watt Place. Constructed predominately from brick it has a stone shop front and is sandwiched between The Talbot Public House to the south west and a residential dwelling to the north east. St Giles Church occupies an elevated position some 100 metres to the north west. For the purposes of the development plan the application site lies within Cheadle Town Development Boundary. It also lies within a designated Conservation Area and a Protected Town Centre Shopping Street.

PROPOSAL

This is a full application which seeks consent to change the use of the building from retail (A1) to a tattoo parlour (Sui Generis).

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5c Cheadle Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
C1 Creating Sustainable Communities
TCR1 Development in the Town Centres
T1 Development and Sustainable Transport
T2 Other Sustainable Transport Measures

National Planning Policy Framework

Chapter 1 Building A Strong Competitive Economy

Chapter 2 Ensuring the Vitality of Town Centres

Chapter 7 Requiring Good Design

Chapter 8 Promoting Healthy Communities

Chapter 12 Conserving and Enhancing the Historic Environment

National Planning Policy Guidance

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1979/1024 Use of room for office in connection with car hire. Approved.

SMD/1983/0555 New shop front. Approved.

SMD/1987/1193 Proposed shop sign. Withdrawn.

SMD/2001/1017 Change of use to form flat (ground floor) and retention of existing external stairway. Refused

SMD/2002/0402 Alterations to existing building to form an additional ground floor flat (revised submission). Approved.

SMD/2006/1399 Alterations to shop front. Approved.

CONSULTATIONS

Publicity

Site notice displayed, six neighbours notified and publicised in Cheadle Post & Times.

Public Comments

No representations received.

Town / Parish Comments

No objections.

Conservation Officer

No comments suggest note to developer re signage.

OFFICER COMMENTS

Principle of Development

For the purposes of the Development Plan the site lies within the town development boundary and within the extent of the Council's adopted town centre frontage policy. CS Policy SS5c states that the Council and its partners will seek to expand the role of Cheadle as a significant service centre and market town. This will be achieved through expanding the main retail core and protecting its vitality and viability. Furthermore CS policy TCR1 states that the viability and vitality of the town centres of Leek and Cheadle will be protected and enhanced by positive management including focusing and promoting retailing as well as other key town centre uses such as offices, leisure and cultural facilities within the town centres where they contribute to vitality and viability and promoting housing on upper floors within the primary shopping areas and elsewhere in the town centres where this does not jeopardise their vitality and viability.

In primary frontages TCR1 states that proposals for changes of use to A1 retail will be supported. Development falling within other use classes will only be permitted where it will not create a concentration of non-shopping uses and result in an unacceptable change in the retail character of the immediate area or have an adverse effect on the vitality and viability of the town centre. Any non-A1 use must be complementary to adjacent shopping uses in terms of its operational characteristics and retain a display frontage appropriate to a shopping area.

The NPPF encourages flexibility of uses to support town centre vitality. Policy SS5c relating to Cheadle supports the provision of opportunities for new businesses and enterprises and providing facilities and sites for new start up businesses. It also aims to protect and enhance the vitality and viability of the Town Centre.

The application site lies on the edge of the protected retail street and is flanked on one side by a public house (A4) with a residential dwelling (A1) on the other. The immediate area is not consistent with a traditional high street with the church opposite and a number of residential dwellings before the true high street starts. Planning permission to convert the ground floor use of the building to residential use was approved in 2002 on the grounds that this use would be more in keeping with the locality than the existing use. This permission has never been implemented and has now lapsed.

The scheme would clearly retain the character of the traditional shop frontage and the proposed tattoo studio would not be dissimilar to the previous use with members of the public generating footfall and it is considered that the use would be compatible with current policy for encouraging a variety of businesses and economic activity within the town centre.

Design & Impact on the character and appearance of the street scene and Conservation Area

Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 place a statutory duty upon decision makers to safeguard the significant of heritage assets for future generations. Statute allows for change in the setting of heritage assets where change does not harm the significance of the asset. This is also reflected in paragraph 131 of the National Planning Policy Framework which states that in determining planning applications the desirability of sustaining and

enhancing the significance of heritage assets should be taken into account. Policies DC1 and DC2 of the Staffordshire Moorlands Core Strategy reiterate this approach and require all development should be well designed to respect the site and its surroundings. Within Conservation Areas the Council will safeguard and, where possible, enhance the historic environment.

The submitted floorplans show that there would be no alterations to the external fabric of the building. The submitted heritage statement indicates that the internal modifications will be limited to the addition of loose fittings that can easily be replaced or removed if necessary such as a front desk, timber stud internal partition, a storage desk & superficial coverings to hide pipework.

Amenity

National planning policy dictates that at the heart of its core principles, planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This is further re-iterated in CS Policy DC1, which seeks to protect residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping as informed by the Council's 'Space about Dwellings' SPG.

The proposed use would be compatible with the mixed commercial and residential street nature of the area and would not have a detrimental impact on neighbours. It is proposed that the tattoo parlour would operate on an appointment basis rather than a walk in arrangement and hours of opening would be largely consistent with retail opening hours which would be considerably less than the adjacent public house. In these respects the proposal accords with CS policies DC1 and the relevant parts of the NPPF.

Highway Safety

Paragraph 32 of the NPPF states: 'Plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe' as is reflected within CS Policy T1 'Development and Sustainable Transport'.

There is ample town centre parking for staff and customers with access to the main car park off Tape in close proximity. In addition the site lies within a sustainable area where there are good transport links and walking opportunities benefiting this town centre location. In these respects there would be no significant impact on the highway network and the proposal complies with CS Policy T1 and the relevant parts of the NPPF.

CONCLUSION / PLANNING BALANCE

CS Policy SS1a and NPPF paragraph 14 directs that development, which accords with the development plan must be approved without delay. In the opinion of the Local Planning Authority the proposal, subject to the conditions listed below, would not cause undue harm to interests of acknowledged importance, with particular reference to the vitality and viability of the Town Centre, residential amenity and highway safety. As such the proposal complies with adopted Development Plan policies and central government advice as contained in the National Planning Policy Framework.

OFFICER RECOMMENDATION : **Approve subject to conditions regarding statutory time limit, submitted plans, limitation to use class and opening hours.**

Case Officer: Teresa Critchlow

Recommendation Date: 15th February 2017

X *B.J. Haywood*

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council