

HADLEIGH – 5 MAIDEN WAY

Change of use from Class Sui Generis (Beauty Salon) to Youth Centre (for a temporary period of 1 year).

Applicant: Mrs P A Black

Case Officer: Ben Elvin

BACKGROUND

1. A panel of Members visited the site on 12th September 2007 in order to assess the potential impact of the proposal upon the surrounding area.
2. The consideration of this application was deferred at the meeting on 3 October 2007 to allow the applicant to formally provide details of the proposed sound insulation arrangements. Despite requesting this information the applicant has not given any indication that the necessary details will be forthcoming. Instead she has commented upon other matters. The application is therefore being presented to Development Committee again for determination as originally submitted.

SITE

3. The premises are currently occupied by French Complexion, a beauty salon which operates with 2 full-time and 2 part-time staff. The property lies on the Maiden Way thoroughfare that provides a link from the High Street to Magdalen Road. A small car park lies to the rear of the site.
4. The premise lies within the Hadleigh Conservation Area and falls within the designated Prime Shopping Area.

PROPOSAL

5. The application proposes the change of use of the existing beauty salon to a youth drop-in centre for a temporary period of one year. This use includes a meeting place for young people aged between 12-18 between the hours of 4.30pm – 8.30pm with secondary use during the day for a number of organisations. These could include a place for people to wait for buses and a meeting place for small groups of people and clubs.
6. The centre would be run by volunteers (fully trained) including Community Service Officers. This would be backed up by a company who provide job guidance and careers advice and other arranged visitors to give talks and seminars. A temporary permission is sought pending the provision of permanent accommodation.

7. The internal layout of the building would provide a meeting room for small groups, a soundproofed room for a TV and stereo to be placed, a quiet room for counselling to take place, and a small area for a computer. A kitchenette and toilet facilities already exist.

RELEVANT HISTORY

8. 1971 – Conversion of premises from residential to shop.
9. 1976 – Renewal of conversion from residential to shop.

NATIONAL GUIDANCE

10. **PPS1 (2006): Delivering Sustainable Development**
PPS6 (2005): Planning for Town Centres

PLANNING POLICIES

11. The following Development Plan policies are relevant to the determination of this proposal:

Suffolk Structure Plan 2001

- ECON8 (Town and Local Centres)

Babergh Local Plan, Alteration No.2 (2006)

- HD03 (Hadleigh – Prime Shopping Area)
- EM24 (Retention of Existing Employment Sites)
- CN08 (Development in or near Conservation Areas)

OBSERVATIONS

12. PC – comments that the site lies within the restricted retail area of the town, where the proposal would not be in sympathy and in character with the layout of the existing dwellings and general setting. The building is considered inappropriate for its proposed use due to the size and scale of the unit. Noise pollution and anti-social behaviour in this built up area would have an adverse affect on the character of this quiet area. There would also be an adverse impact on the residential amenity as a result of the proposal.
13. LHA – does not wish to restrict the grant of permission.
14. Economic Development – states: “The property is currently in employment use and appears not to have been marketed; consequently the test for future demand for employment generating businesses at this location has not been fully explored as required by policy EM24.

Whilst I appreciate that this proposal would have a community benefit, such a use however should only be considered providing evidence is available that there is no need for a property of this type or location for alternative employment generating uses and there is evidence that there are no other opportunities available for this kind of proposal anywhere else within the town.

We would ask to see the following evidence prior to a decision being made as to whether a marketing campaign should be undertaken:

- The general lack of premises for community uses in the town;
- Why this property is not needed for employment; and
- Why other buildings are not suitable to accommodate the proposed use.

I would also be grateful if you could advise as to whether neighbouring businesses have been approached to see what their views are.

Finally, if a campaign is not undertaken at this time and temporary permission is granted, the applicant/owners should be advised that if the approved community use ceases, there will be a requirement for one to be undertaken at that time. A precedent should not be set that a community use remains the future for this building.”

15. Third Party Representations have been received. The main points can be summarised as follows;

- The use would represent a reduction in the retail presence to Maiden Way.
- Potential vandalism and graffiti to the shops and premises in Maiden Way, given its secluded location and the lack of CCTV or police presence.
- The impact on trading for the businesses in Maiden Way, due to customers and staff not wanting to walk through an area where youths gather for fear of intimidation/attack.
- The change of use proposed may irreplaceably damage the quaint atmosphere and prosperity of Maiden Way.
- Youths may congregate in the adjoining car park with cars and motorbikes.
- The site is too small, and could only hold a maximum of 10-12 people at any one time if all of the partition walls were removed.
- The lack of supervision for people outside the confines of the site.
- Littering problems.
- Whilst it is generally accepted that the youths of Hadleigh need somewhere to gather, this site is not appropriate.

ASSESSMENT

16. The main issues to be considered are;

- **The Principle of Development**
- **Amenity/Impact on Locality**
- **Conservation Issues**

The Principle of Development

17. The site lies within the designated prime shopping area. In addition to its shopping function, the Local Plan identifies that Hadleigh is developing an increasingly important service function. This is reflected in the number of restaurants, hairdressers, building societies, estate agents, professional services and consultancies, some of which have been in the town for many years, or have become established in recent years, thus expanding the range of facilities in Hadleigh.
18. Shopping however remains the essential function of the town centre and increasing numbers of non-shopping uses on prime shopping sites can lead to deterioration in the overall standard of shopping facilities and disruption of shopping frontages. The introduction of such non-retail uses on prime shopping sites should, therefore, generally be resisted.
19. Policy HD03 provides that, at ground floor level in the protected shopping frontages in Hadleigh High Street, the introduction of, or change of use to, shops, will be permitted. The introduction of, or change of use to, non-shopping uses will not be permitted except where:
 - it can be demonstrated that a unit has remained vacant for a considerable period of time;
 - the unit has proven consistently unattractive to retail interest; and
 - documentary evidence is submitted in support of the application to confirm the above conditions.
20. The contents of this policy need to be considered alongside the comments put forward by the Economic Development section. The applicant has submitted brief details of alternative sites that have been considered for the youth centre in the immediate vicinity/within Hadleigh. These other properties have not been forthcoming for various reasons, including inappropriate layout, proximity to residential properties, high rents and lack of disabled access. This has led the applicant to the property in Maiden Way. However, no details have been provided as to the marketing of the site for retail use in accordance with policy HD03 of the Local Plan. Whilst this is, of course, a material consideration, it is necessary to consider that the existing use does not fall within the retail (A1) use class. Therefore, it could be argued that the requirements of this policy cannot be applied directly.
21. The Local Plan does not make provision for community uses and does not contain policies in relation to this form of use. Therefore it is necessary to consider the proposal upon its planning merits.
22. The companion guide to PPS1 entitled “The Planning System: General Principles” provides guidance as to the current Planning System and establishes the principles of producing Development Plans. It also provides advice as to the determination of planning applications. Paragraph 15 states “In those cases where the Development Plan is not relevant, for example because there are no relevant policies, or policies in the DPDs pull in opposite directions so that there is no clear guide for a particular proposal, the planning application should be determined on its merits in the light of all the material considerations”.

23. The proposed use would provide a community facility that would predominantly function as a meeting place for youths and a base for a youth worker. The characteristics of this form of use is not dissimilar to other forms of service use that may often be seen within Town Centre locations. For example, a Tourist Information Centre, Internet Cafe or Citizens Advice Bureau would provide a base where customers are free to come and go in a similar manner. It would appear that the main objections would therefore focus on the youth element of the use and the management/policing of the use that would be required.
24. The temporary nature of the proposed use would not be contrary to the provisions of HD03 as the grant of permission would not prejudice the future use of the premise for retail purposes. The proposed centre would provide a community use for which there appears to be an identified need. The principle of the development is therefore considered to be acceptable on its merits.

Amenity/Impact on Locality

25. Within the immediate vicinity there are a number of business uses in Maiden Way, with some residential property in High Street. The consideration of the impact on the locality must be looked at in the context of the potential impact on these businesses and residential properties. The concerns expressed relate to possible vandalism, loitering, littering, the size and layout of the building and the management of the site. The applicant has indicated that the centre would be run by fully trained youth workers and that the local police have offered their support to the scheme. These concerns appear, therefore, to relate to the appropriate operation of the site rather than identified amenity issues that can be measured. With this said, the amenity issues in this respect are with regards to noise and the hours of operation.
26. The proposed drop-in centre element of the application proposes to be operating between the hours of 4.30pm to 8.30pm. These hours are not considered to be such that would cause significant amenity issues in relation to the neighbouring businesses. Indeed, it is clear that some of the local businesses also operate into the evening on occasions. However, it is the perceived nature of this operation that is providing the concern to the neighbouring businesses in terms of the potential impact on their trade from customers and staff being confronted by young people in this secluded walkway. Again, these issues are focused on the management and policing of the site. The closure of the centre at 8.30pm should ensure that the youth workers are able to disperse any groups of youths that may decide to congregate in the area.
27. In terms of the noise issues, the applicant has identified that one room of the building may be used for a television and stereo. It has been stated that this room would be sound-proofed to reduce any impact on adjoining premises. It will be necessary to consider the advice provided by the Council's Environmental Health Officers. At the time of writing this report, a response was awaited. However, it is considered that a scheme of attenuation could be required to be submitted as a condition on any consent.

Conservation Issues

28. The property lies within the designated Conservation Area. The applicant has referred in the supporting information to the potential alteration to the internal layout of the building through the removal of a stud wall. This form of development would not have any detriment to the character of the area and would not require the benefit of planning approval.
29. The use of the premises would not cause issues with regards to the character of the Conservation Area in this instance. The change of use can be facilitated without alteration to the façade of the building.

CONCLUSION

30. The grant of permission for a temporary period of one year would enable the use to be monitored whilst providing an important community facility for which there appears to be an identified need within Hadleigh. At the end of this one year period, the use would be able to be reviewed and could not continue without the need for a further application to be made. The applicant would be able to continue to search for suitable longer term accommodation during this time.

REASON FOR APPROVAL

The proposed use would meet an identified need within Hadleigh for a period of 1 year and would not give rise to an unacceptable loss of amenity to neighbouring businesses and residences. By virtue of its individual characteristics it is a suitable use within this Town Centre location.

RECOMMENDATION

Grant planning permission for a period of 1 year, subject to the following conditions;

- Scheme of soundproofing

DECISION
