

	REPORT TO PLANNING & DEVELOPMENT COMMITTEE TO BE HELD ON THURSDAY, 7 November 2019	
APPLICATION REFERENCE NO: 19/02127/RG3	TARGET DATE: 20 November 2019	GRID REF: 503691-484012

REPORT OF THE PLANNING SERVICES MANAGER – PSM/19/217

SUBJECT: Change of use from tattoo studio to dog grooming parlour (sui generis) at Tattoo 52 52 Manham Hill Eastfield Scarborough NORTH YORKSHIRE YO11 3DG for Scarborough Borough Council

1.0 THE PROPOSAL

1.1 The application is to be considered by Planning Committee as the building is owned by Scarborough Borough Council.

1.2 The application site is located within an area of Eastfield that comprises of an established grouping of shops and facilities which include a fish and chip shop, a tanning salon and a convenience shop.

1.3 The front of the building is set back from the public highway of Manham Hill, with a grass verge and footpath in between. To the rear of the site are residential dwellings known as Wheatfields Court. Above the site are residential flats.

1.4 The building is primarily accessed from Manham Hill, with there being a rear access from Wheatfields Court. To the rear of the building is a private yard with outbuildings.

1.5 The proposal seeks the change of use from tattoo studio to dog grooming parlour (sui generis). There are no external changes proposed.

1.6 The applicant has submitted a statement of operation for the business. In terms of dog numbers, they are groomed on a one to one basis per client. One client can have a maximum of 3 small dogs. There will be a maximum of 5 dogs groomed per day inside the building. The full grooms will require an appointment, with them taking between 1-3 hours. Clients will leave their dogs and be told a time when they can be picked up.

1.7 The opening hours will be Monday - Thursday 9am to 5pm, Fridays 9am to 7pm and Saturday hours may start at 8am to 11am.

1.8 The dogs will have access to the rear yard if necessary but will not be groomed outside. The outbuildings will be used as storage and waste will be stored in the rear yard.

1.9 In terms of the internal layout, there will be a waiting area at the front with a gate separating this area with the salon. There will be a dog bathing area to the rear.

2.0 SCREENING OPINION REQUIRED?

2.1 No

3.0 PRE-APPLICATION COMMUNITY ENGAGEMENT

3.1 None undertaken

4.0 CONSULTATIONS AND COMMENTS

The following is a summary of the key and relevant comments received from consultees and interested parties. Their full comments and any accompanying documentation are available to view on the Council's website.

4.1 Eastfield Parish Council - no response received to date.

4.2 Environmental Health (Commercial Regulation) - having reviewed the above application the only comment to make from a commercial regulation perspective is that that there may be a potential for a dog barking noise nuisance.

Mitigation measures e.g. only one dog at a time/ no evening operation after 9pm / soundproofing should be considered.

4.3 Environmental Health (Private Sector Housing) - no response received to date.

4.4 Local Highway Authority (NYCC) - no objection.

4.5 Publicity - consultation period expired on 23rd October 2019.

11 letters of support have been received. A summary of the letters are:

- The salon will save people travelling into Scarborough as there is no facility like this in Eastfield
- It will help people who don't drive in the area to access such service
- Lots of people have dogs in the area
- It is better to put the shop to use rather than seeing an empty unit

5.0 RELEVANT SITE HISTORY

5.1 2015 - Change of use from A1 shop to sui-generis tattoo studio; Approved.

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise (in the case of advertisement applications the Advertisement Regulations 2007 are applicable). Attention is drawn to the following Development Plan and other planning policies and guidance which are considered to be particularly relevant to the consideration of this application:-

Scarborough Borough Local Plan 2017

DEC 4 - Protection of Amenity

DEC 1 - Principles of Good Design

National Planning Policy Framework

None relevant

Scarborough Borough Supplementary Planning Documents

None relevant

None relevant

Local Planning Policy and Guidance

7.0 ASSESSMENT

7.1 The main considerations concerning this development are the principle of development, the impact of the proposed dog grooming salon upon residential amenity and highway safety.

Principle of development

7.2 The host unit is currently vacant and is located in a parade of shops situated beneath a block of flats. The loss of a shop to a tattoo parlour (sui generis use class) was accepted in 2015 and this proposal is to consider another sui generis use in the form of a dog grooming salon. The principle of development is therefore considered acceptable.

Residential amenity

7.3 The applicant has indicated that working hours will be Monday - Thursday 9am to 5pm, Fridays 9am to 7pm and Saturday hours may start at 8am to 11am. In terms of the operation, it is considered relatively low key, with there being up to 5 appointments a day with a maximum of 3 dogs.

7.4 Environmental Health have suggested 3 mitigation measures. Two of them are to be adhered to in terms of the numbers of dogs and opening hours. The applicant has the option to consider the third measure of soundproofing in terms of noise from dogs

barking. It should be noted that this type of dog grooming operation is different to doggy day care or boarding where there are more dogs for longer periods of time that are likely to have more issues in terms of dog barking.

7.5 It is considered that this will not result in unacceptable harm to residential amenity. A condition restricting the opening hours to provide an acceptable trading window for the business without compromising residential amenity.

7.6 The site is well serviced by footpaths and public transport. There is no designated site car parking, but there is car parking available on the road side if clients drive to the salon. The Local Highway Authority have raised no objection to the proposal.

8.0 PRE-COMMENCEMENT CONDITIONS

8.1 There are no pre-commencement conditions recommended.

POSITIVE & PROACTIVE STATEMENT

The following steps were taken in an effort to achieve a positive outcome to this application.

The application as submitted is considered acceptable and there was no need for further proactive action from the Local Planning Authority.

RECOMMENDATION

1 The development hereby permitted shall be carried out in accordance with the following plan/s:

Site Location Plan and Proposed Layout Plan received 17th September 2019.

Reason: For the avoidance of doubt.

2 Unless otherwise agreed in writing by the Local Planning Authority, the use hereby approved shall only operate daily between the hours of 8am-7pm.

Reason: In order to protect residential amenity in accordance with Local Plan Policy DEC4.

David Walker

Background Papers:

Those documents referred to in this report.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT MS CHARLOTTE CORNFORTH ON 01723 232482 email charlotte.cornforth@scarborough.gov.uk



Reproduced by permission of Ordnance Survey on behalf of Her Majesty's Stationery Office. © Crown copyright and database right 2019 Ordnance Survey License number 100024267

