

**East Area Planning Committee**

8th January 2014

**Application Number:** 13/02946/CT3

**Decision Due by:** 27th December 2013

**Proposal:** Change of use from tattoo parlour (Sui Generis) to Use Class A1 (retail).

**Site Address:** 9 Knights Road, Oxford (site plan: Appendix 1)

**Ward:** Northfield Brook

**Agent:** N/A

**Applicant:** Oxford City Council

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## **Recommendation:**

APPLICATION BE APPROVED

For the following reasons:

- 1 The proposal would introduce an A1 unit into a neighbourhood shopping centre, where A1 units are protected and fulfil a valuable retailing function. Furthermore, the proposal would bring an empty unit back into use, which would enhance the vitality of the neighbourhood shopping centre. The application accords with policies CP1, CP10 and RC8 of the Oxford Local Plan 2001 - 2016 and CS1 of the Core Strategy.
- 2 The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.

Subject to the following conditions, which have been imposed for the reasons stated:

- 1 Development begun within time limit

## **Main Local Plan Policies:**

### **Oxford Local Plan 2001-2016**

**CP1** - Development Proposals

**CP6** - Efficient Use of Land & Density

**CP10** - Siting Development to Meet Functional Needs  
**RC8** - Neighbourhood Shopping Centres  
**DS10** - Blackbird Leys Road - Regeneration Zone

### **Core Strategy**

**CS1\_** - Hierarchy of centres

### **Other Material Considerations:**

National Planning Policy Framework

### **Relevant Site History:**

11/00267/FUL - Change of use from A2 (betting office) to tattoo and body piercing studio. PER 19th April 2011.

### **Representations Received:**

None received

### **Statutory and Internal Consultees:**

Blackbird Leys Parish Council – no objection

### **Issues:**

Principle

### **Sustainability:**

The proposal would introduce a retail use in an established shopping area.

### **Officers Assessment:**

#### Site Description and Proposal

1. The application site comprises the middle unit of a row of three retail units fronting Knights Road in Blackbird Leys. The row of shops form part of the Blackbird Leys Road Neighbourhood Shopping Centre, although the site is located round the corner from the main parade. Above the shops are residential properties.
2. The unit is presently empty but its last use was as a tattoo parlour (Class sui generis) and prior to that it was a betting office (Class A2). The application proposes a change the use from sui generis to an A1 retail unit.

#### Principle

3. Local Plan policy RC8 seeks to protect Neighbourhood Shopping centres, where A1 retail uses fulfil a valuable retailing function in the residential areas

they serve. Policy RC8 resists the loss of A1 units so the introduction of a new A1 use is welcomed and would be of benefit to the shopping frontage. In addition, the unit is currently vacant so bringing it back into use would add to the vitality of the area.

4. The site also falls with the Blackbird Leys Regeneration Zone. Local Plan policy DC10 sets out the Councils planning objectives for this area. The proposed application would not conflict with this policy.

**Conclusion:** Officers recommend that planning permission be granted

### **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

### **Section 17 of the Crime and Disorder Act 1998**

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

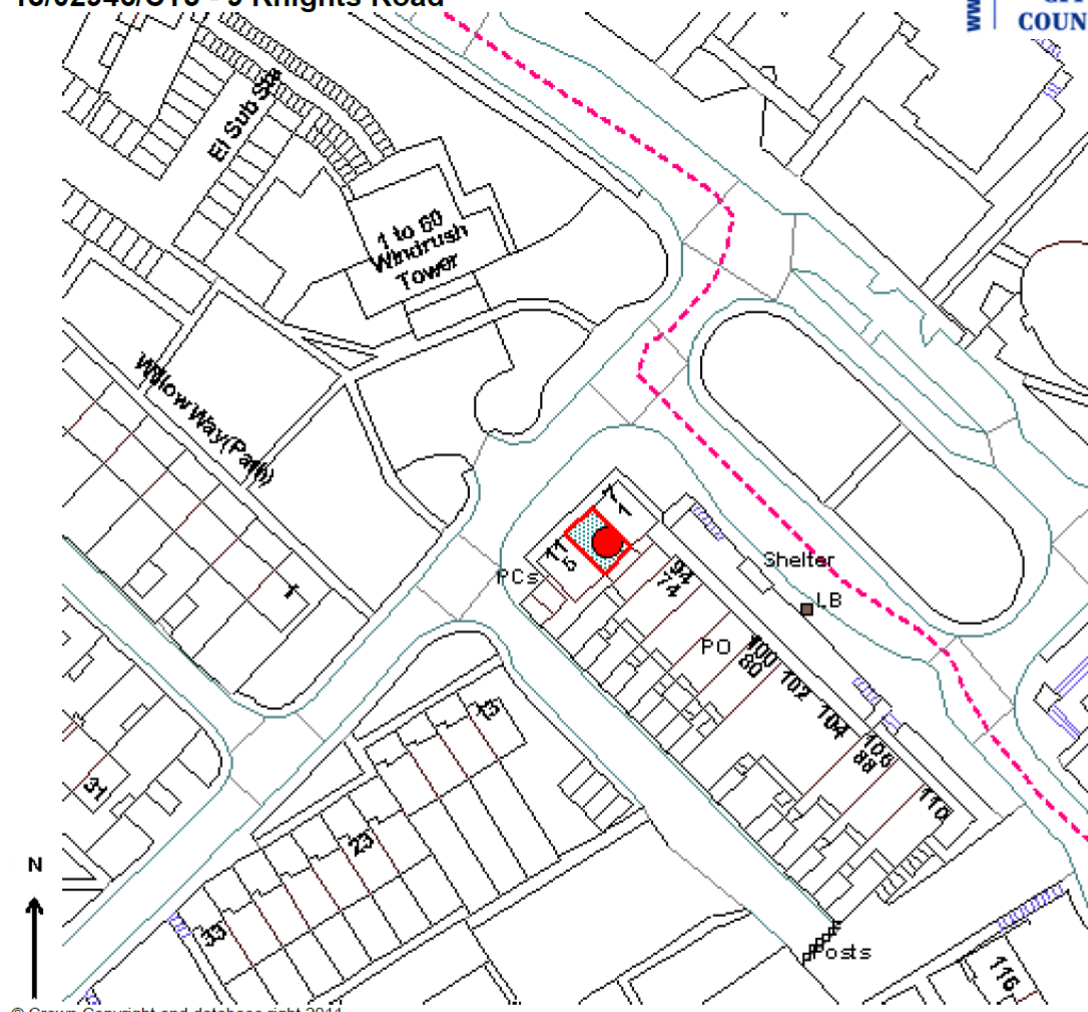
**Contact Officer:** Rona Knott

**Extension:** 2157

**Date:** 17th December 2013

# Appendix 1

## 13/02946/CT3 - 9 Knights Road



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