

APPLICATION NO	PA/2022/1068
APPLICANT	Mr Gerrard Parkes
DEVELOPMENT	Planning permission for change of use of an outbuilding which houses a pool to allow the operation of a private swimming lesson business
LOCATION	39a Knightsbridge Road, Messingham, DN17 3RA
PARISH	Messingham
WARD	Ridge
CASE OFFICER	Jess Hill
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Neil Poole – significant public interest) Objection by Messingham Parish Council

POLICIES

National Planning Policy Framework:

Section 8 (Promoting healthy and safe communities)

Section 12 (Achieving well-designed places)

North Lincolnshire Local Plan: Policies DS1, DS4, M7, T2 and T19

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS22 and CS23

Housing and Employment Land Allocations DPD 2016: The site is not subject to any designations within the DPD

CONSULTATIONS

LLFA Drainage: No comments or objections.

Highways: No comments or objections.

PARISH COUNCIL

Objects to the application for the following reasons:

- The proposal is a commercial enterprise in a residential development.
- There is limited vehicle access to the property resulting in on-street parking on a narrow road giving rise to highway and pedestrian safety concerns.
- Loss of residential amenity of neighbouring properties.

PUBLICITY

A site notice has been displayed and the following comments have been received:

One objection due to the narrow access. A suggestion is made to reduce the speed limit to 10 miles per hour from the entrance of the owner's drive up to the corner of Knightsbridge Road.

One comment neither supporting nor objecting, setting out that if the planning application is successful, business operating hours, for example 8am to 8pm, should be specified.

ASSESSMENT

Site location and context

The site comprises a residential property at 39a Knightsbridge Road located on the southern edge of Messingham.

The site is partly within and partly outside the development limits of Messingham, as identified by the Housing and Employment Land Allocations DPD 2016.

Planning history

- 7/1980/1222: Outline planning application for residential development – refused 3 March 1981
- 7/1981/0968: Change of use of land for the keeping of private horses, and erection of a dwelling and stables – approved 2 February 1982
- 7/1982/0455: Siting, design and external appearance, means of access and landscaping of a detached house and garage – approved 14 September 1982
- 7/1985/0556: Construction of timber storage building for feed storage – approved 19 September 1985
- 7/1979/0351: Erection of two detached dwellings – refused 22 May 2019
- PA/2020/671: Erection of a two-storey side extension, removal of a pitched roof and installation of a balcony to the front elevation, together with a single-storey extension to the swimming pool area to facilitate a gym, sauna and sitting area – approved 24 June 2020.

Designations/constraints

The site is partly within and partly outside of the development limits of Messingham.

The site is not within a conservation area and there are no listed buildings on or next to the site.

There are no tree protection orders on the site.

The site is within SFRA Flood Zone 1.

Proposal

Permission is sought to change the use of an outbuilding which houses a pool (Use Class C3 given the outbuilding is ancillary to the dwelling) to allow the operation of a private swimming lesson business (Use Class F2(d)).

The main considerations in assessing this application include:

- **principle of development**
- **access and highway safety**
- **design and appearance**
- **residential amenity.**

Principle of development

The western part of the site, including the dwelling, is within the development limits of Messingham, whereas the outbuilding and the remainder of the site is outside the defined limits. The outbuilding is adjacent to the development limits.

The outbuilding is within the countryside in policy terms where policy RD2 (Development in the Open Countryside) applies. This policy strictly controls development outside development limits unless certain criteria are met. In the case of the application site, the outbuilding is already in place and no external alterations are proposed. Therefore no additional floor space is proposed and there will be no greater impact on the countryside in visual terms. Also, some screening in the form of existing trees and vegetation within the plot assists with softening views of the outbuilding.

Policy CS3 (Development Limits) allows for appropriate development within defined development limits, provided the proposed development responds to the context of the area and the settlement has capacity to accommodate the proposed development based on existing and proposed infrastructure. Although the outbuilding is outside the defined development limits, it relates closely to the existing form of development. The NPPF and the development plan also encourage the re-use of existing buildings, and the proposed change of use will include the re-use of an existing building.

Policy DS4 (Changes of Use in Residential Areas) sets out that within residential areas, favourable consideration will be given to proposals for a change of use from residential to other uses. This is provided that the development will not adversely affect residential amenity by virtue of noise, vibration, traffic generation, reduction in road safety, odorous emissions (by way of dust, smell, fumes, smoke, soot, ash or grit) or other adverse environmental conditions.

Policy CS22 (Community Facilities and Services) supports the provision of community facilities which meet the needs of local residents. Community facilities are allowed in residential areas provided there is no adverse effect on the amenities of neighbouring properties (part d). It is considered that the proposed change of use would not adversely affect the amenities of neighbouring properties in this case as set out in more detail in this assessment.

Policy CS23 (Sport, Recreation and Open Space) encourages the provision of new leisure and recreation facilities which are of an appropriate scale to the type and size of settlement.

The change of use of the outbuilding to facilitate the provision of swimming lessons comprises a small-scale business that is considered to be appropriate given the context of the surrounding area.

The proposed change of use will provide a facility for swimming which is acknowledged to provide benefits in terms of recreation, health and wellbeing. There are no public swimming pools in Messingham and the nearest pools are in Scunthorpe.

The outbuilding has built-in showers and toilet facilities. The swimming pool will be used by two swimming teachers to offer swimming lessons for the local community of all ages and abilities.

One of the main objectives of the NPPF is to support the delivery of strong, vibrant and healthy communities (paragraph 8b). Section 8 of the NPPF 'Promoting healthy and safe communities' sets out the importance of delivering recreational facilities. Paragraph 98 sets out that:

'Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.'

The Strategic Assessment for Provision of Swimming Pools: North Lincolnshire Council (February 2021) was used to inform the preparation of the New Local Plan. This assessment identifies a lower share of swimming pool facilities in Messingham than other areas of Scunthorpe.

The principle of development is therefore considered to be acceptable given it will include the re-use of an existing building, provide swimming facilities for the local community, and facilitate a small-scale business that is appropriate to the context of the site. The proposals therefore accord with policies RD2, DS4, CS3, CS22 and CS23.

Access and highway safety

Policies T2 (Access to Development) and T19 (Car Parking Provision and Standards) require that proposals do not adversely impact upon highway safety and provide suitable parking for the development.

The existing vehicular access to the dwelling will continue to be used from Knightsbridge Road. The existing driveway is large and covers a large area of the site.

There is room within the site for 3 resident parking spaces, 2 swim teacher spaces, 11 visitor spaces and 2 additional spaces if required. The maximum number of people allowed in the swimming pool building is 10 (8 within the pool). There will usually only be one swimming teacher within the pool, reducing the need for parking spaces further. Therefore, in general, the maximum number of spaces that can be accommodated within the site will not be required. There is, therefore, sufficient room for parking within the site to avoid street parking.

The council's Highways team has reviewed the proposals and confirmed they have no objections.

The proposals are therefore acceptable in terms of the proposed access and parking arrangements and accord with policies T2 and T19.

Design and appearance

Policies DS1 (General Requirements) and CS5 (Delivering Quality Design in North Lincolnshire) encourage the design and external appearance of proposals to reflect or enhance the character, appearance and setting of the immediate area.

No external alterations to the building are required and the proposals are therefore acceptable in terms of the design and appearance of the building conversion. As such, the proposals accord with policies DS1 and CS5.

Residential amenity

Policies DS1 and CS5 are also concerned with quality of design and the impact of proposals on the amenity of neighbouring uses. Policy DS1 requires proposals to be designed so as not to result in a detrimental impact on neighbouring uses in terms of noise, smell, fumes, dust or other nuisance, or through overlooking or overshadowing (part iii).

No additional floor space or external alterations are required and as such the proposals will not result in a detrimental impact in terms of overshadowing. Similarly, the change of use will facilitate a small-scale business that will operate from within the existing outbuilding. The swimming pool building is approximately 27m from the nearest dwelling to the north (86 Brigg Road) and 43m from the nearest dwelling to the west (40 Knightsbridge Road). This is not considered to result in an unacceptable impact in terms of amenity, such as through noise generation.

A condition is recommended restricting the hours of operation to: 9am to 8.30pm Monday to Friday; and 8.30am to 12.30pm on Saturdays and Sundays. Therefore, the pool will only be operational at certain times, reducing the impact on neighbouring properties. The proposals will therefore have an acceptable impact in terms of residential amenity and accord with policies DS1 and CS5.

Other matters

Policy M7 (Messingham Protection Zone) designates a protection zone of 600 metres from the development boundary of Messingham village, within which planning permission for new mineral workings will not be permitted. Although the site is within this zone, the proposals are not for mineral working and as such do not conflict with this policy.

Policies CS19 (Flood Risk) and DS16 (Flood Risk) seek to ensure that suitable drainage strategies are secured for developments. The site is within SFRA Flood Zone 1, which is an area considered to be at a low risk of flooding. The LLFA Drainage Team has raised no objections or comments to the proposed development. The proposals are therefore acceptable in flood risk and drainage terms and accord with policies CS19 and DS16.

Conclusion

The proposed change of use to allow the outbuilding to be used for swimming lessons is considered to be suitable.

RECOMMENDATION **Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The hours of operation shall be limited to:

- 9am to 8.30pm Monday to Friday; and

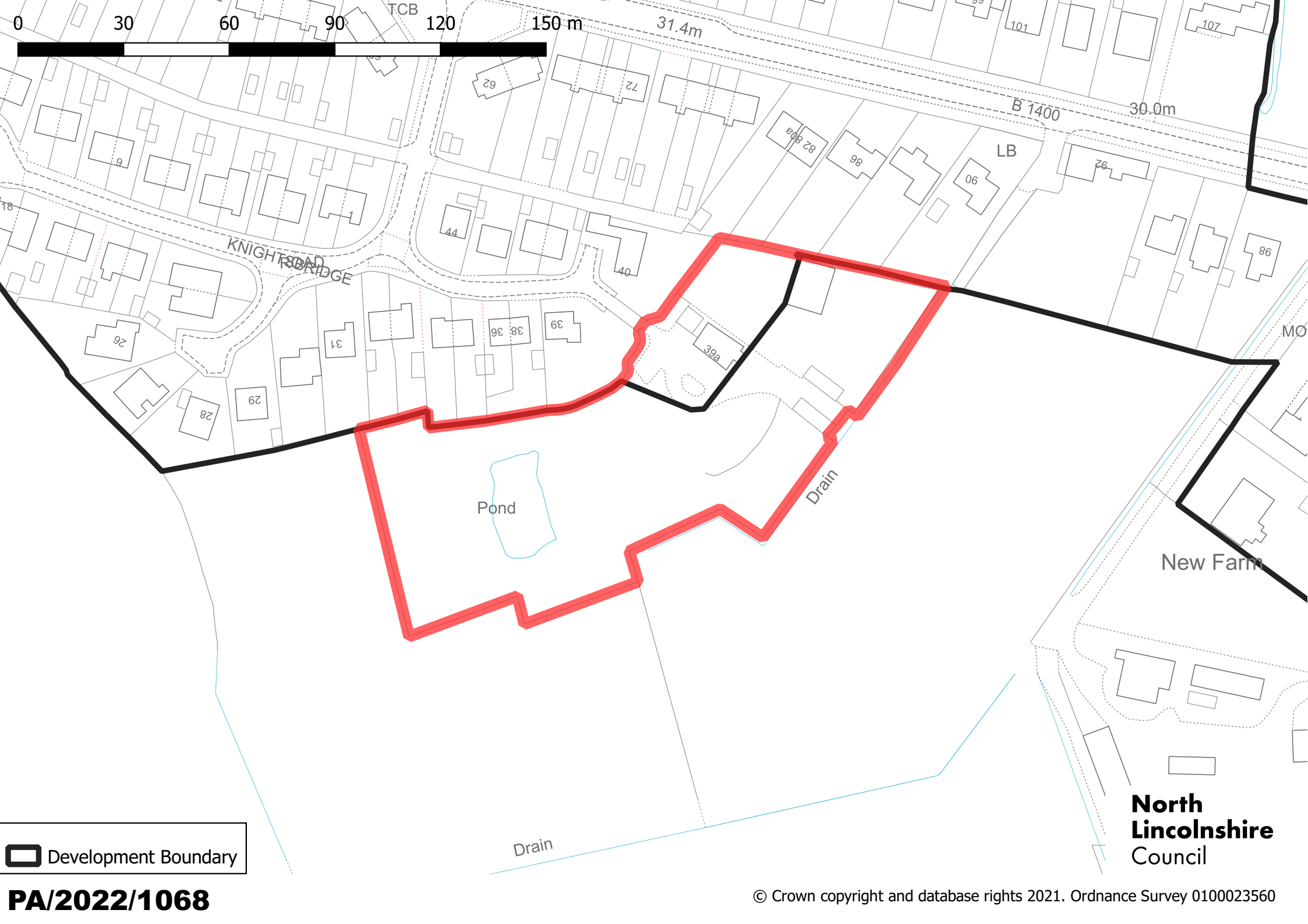
- 8.30am to 12.30pm on Saturdays and Sundays.


Reason

To protect residential amenity.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



 Development Boundary







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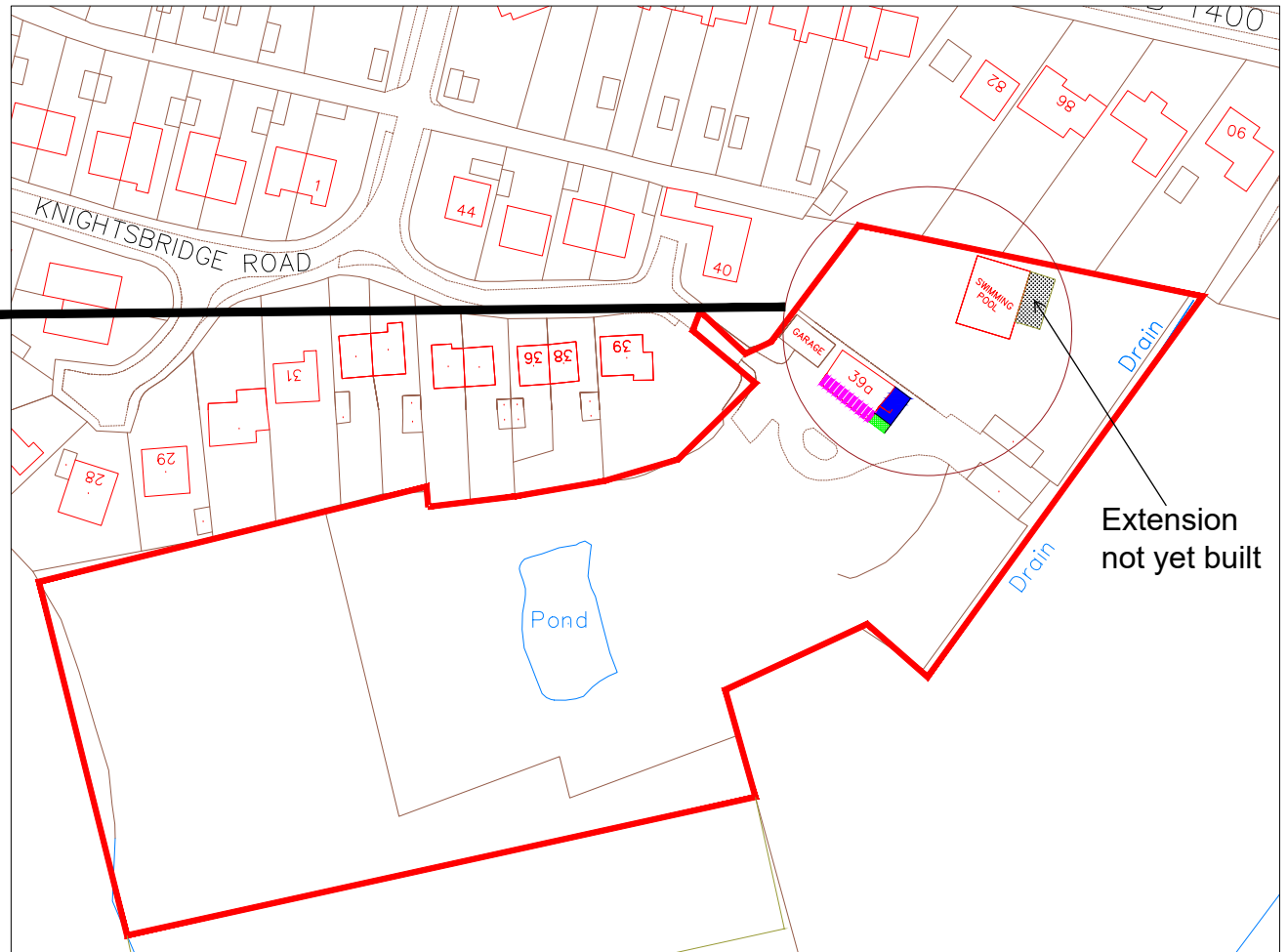
**North
Lincolnshire
Council**

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KEY

-  APPLICATION BOUNDARY FOR DWELLING: 13,757M² (1.38 HECTARES)
-  SWIMMING POOL REAR EXTENSION WITH PITCHED TILED ROOF
-  2 STOREY SIDE EXTENSION WITH PITCHED TILED ROOF
-  SINGLE STOREY EXTENSION WITH FLAT ROOF AND  ABOVE
-  REMOVE PITCHED TILED ROOF AND REPLACE WITH FLAT ROOF & BALCONY @ 1ST FLOOR LEVEL



BLOCK PLAN



ReQuestAPlan
 Map number: RRU6548200983891

Title: 39A KNIGHTSBRIDGE ROAD, MESSINGHAM, NORTH LINCOLNSHIRE, DN17 3RA
 Map Produced for: MRS GEZ PARKES
 OS Licence number: 057530987276
 Date of Purchase: 26-03-2020
 1 Years subscription from 26-03-2020 for 1 workstation.

PA/2022/1068 Parking (not to scale)

KEY:

- Resident Parking x 3 spaces
- Swim Teachers x 2 spaces
- Swim People x 11 spaces
- Passing Point
- **Note: we have extended the drive to allow for this passing point***
- Not designated parking. Can be used for emergency x 2 spaces

IMAGE 1

IMAGE 2

IMAGE 3

IMAGE 4

IMAGE 5

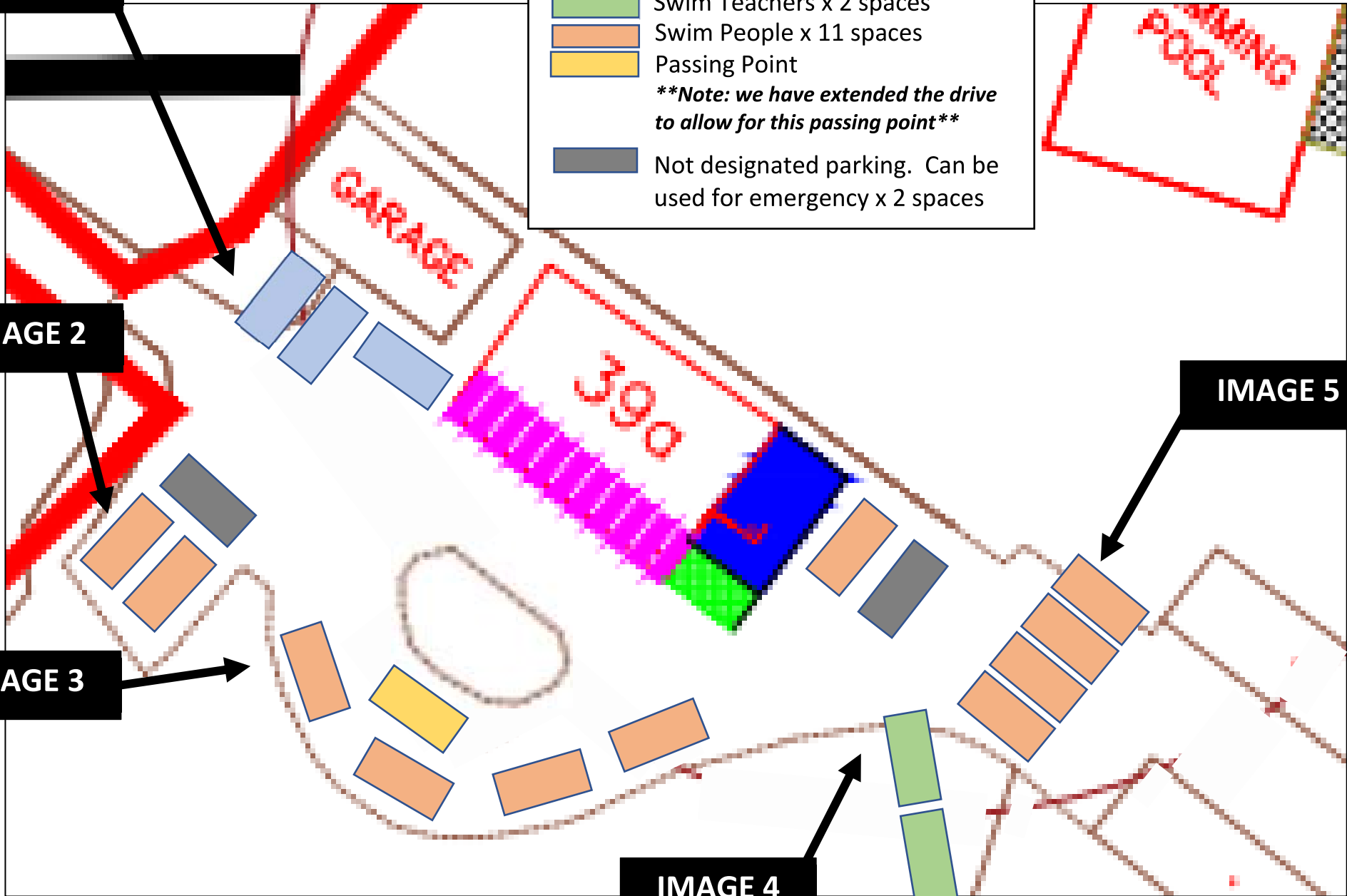




IMAGE 1



IMAGE 2



IMAGE 3



IMAGE 4



IMAGE 5