

APPLICATION NO	PA/2023/659
APPLICANT	Ms Olivia Cook
DEVELOPMENT	Planning permission for partial change of use of land and the erection of a timber outbuilding for commercial use
LOCATION	1 Whitehouse Way, Epworth, DN9 1GS
PARISH	EPWORTH
WARD	Axholme Central
CASE OFFICER	Emmanuel Hiamey
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Epworth Town Council

POLICIES

National Planning Policy Framework:

2 Achieving sustainable development

11 Making effective use of land

12 Achieving well-designed places

North Lincolnshire Local Plan:

DS1 General requirements

DS4 Changes of use in residential areas

DS14 Foul sewage and surface water drainage

DS16 Flood risk

T2 Access to development

T19 Car parking provision and standards

North Lincolnshire Core Strategy:

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS19 Flood risk

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS10 Development limits

DQE5 Managing flood risk

DQE6 Sustainable drainage systems

CONSULTATIONS

Environmental Protection: No objection subject to conditions.

LLFA Drainage: No objections or comments on the proposed development.

Highways: No comments or objections to make on this application.

TOWN COUNCIL

Objects to the application on the basis that it is a business in a residential area and over-development of the site.

PUBLICITY

A site notice has been posted. No comments have been received.

ASSESSMENT

Constraints

Within the development boundary

SFRA flood zone 1

Site description and proposal

Planning permission is sought for a partial change of use of land and the erection of a timber outbuilding for commercial use at 1 Whitehouse Way, Epworth, DN9 1GS.

The site is within the development boundary of Epworth in a residential area. The property is located at a road junction between Whitehouse Way and Brock Close. It is bounded at the north by 3 Whitehouse Way and at the west (rear) by 29 Studcross.

The site comprises a two-storey detached dwelling and a detached double garage. This proposal seeks to erect an outbuilding within the curtilage of a dwelling for a home business.

During the site inspection, it was evident the erection of the single-storey timber outbuilding is under construction within the curtilage of the dwelling. The timber outbuilding measures 6m x 3.5m and has a flat roof. The outbuilding is set back from the rear boundary by 1m and 2m from the side boundary with the adjacent properties. The rear of the property is screened by a 2m high close-boarded timber fence.

The applicant has indicated that the outbuilding would be used to work from home as a hairdressing salon. The operating hours of the business would be between 9.30 am and 4.30 pm, Tuesday to Thursday, and alternate Saturdays.

Key issues

The key issues to consider in the determination of this application are:

- **the principle of the development;**
- **layout, siting, and design;**
- **amenity impact;**
- **Highways impact;**
- **Drainage impact and**

Principle of development

As indicated in the above description, this proposal is for the erection of an outbuilding within the rear garden area of 1 Whitehouse Way, Epworth. The outbuilding would be used as a beauty salon, which is a commercial use and constitutes a material change of use. To clarify the scale of the proposal, as indicated on the application form, the applicant is a hairdresser and wants to work from home between the hours of 9.30am and 4.30pm Tuesday to Thursday, and alternate Saturdays. The beauty salon would be run by one person.

This commercial beauty salon will not be large compared to high street salons which employ a large number of staff and is not anticipated to attract a high number of clients. Furthermore, the outbuilding is within the garden of the dwellinghouse, and a large proportion of the plot would remain as a garden.

Policy DS4 is supportive of changes of use in residential areas subject to certain criteria; the key tests of whether it is acceptable are the scale of the operation relative to domestic use and whether there are external effects that are untypical of residential use and/or would have an adverse effect on neighbouring properties.

As such, the principle of the development is acceptable subject to an assessment of amenity impact.

Layout siting and design

Policy DS1 (General Requirements) require a high standard of design in all developments in both built-up areas and the countryside, and proposals for poorly designed development will be refused. Policy CS5 (Delivering Quality Design in North Lincolnshire) supports a well-designed development that is appropriate for their context.

Policy DS4 (Changes of Use in Residential Areas) requires that, within residential areas, favourable consideration will be given to proposals for a change of use from residential to other uses, provided that the development will not adversely affect the appearance and character of a residential area.

As indicated in the description section, the outbuilding is within the curtilage of the dwelling. It measures 6m x 3.5m and will be used to allow the resident to work from home. The hours of work would be 9.30am to 4.30pm Tuesday to Thursday, and alternate Saturdays. A bathroom will be provided within the building.

Regarding the scale of the outbuilding, it is modest and does not raise any issue of over-development of the site, and it does not over-dominate the dwelling or the surrounding area.

The finish of the outbuilding (timber cladding) is considered acceptable as it does not raise any significant issues and does not have an adverse visual impact on the street scene.

Turning to the provision of the bathroom, the planning authority has judged that it is reasonable as a client may need to use a toilet and the applicant will not want any client to use the toilet in the main dwelling.

Overall, the position, scale and design of the outbuilding are acceptable because it does not significantly harm the character of the dwelling, the surrounding area, or the street scene. The small-scale nature of the building would naturally limit the number of clients on site to one at a time and the level of activity would not significantly exceed that which could be expected at a residential dwelling.

Due to the small nature of the development, it is deemed acceptable within the curtilage of the dwelling and the residential area.

Amenity impact

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

Having reviewed the proposal, the use of the outbuilding for a beauty salon would not change the residential appearance of the house and the amenity area would largely remain as a garden.

In terms of noise, on-street parking, and traffic, the beauty salon would not generate significant noise, on-street parking, and traffic, because it is a small-scale business. Further, the business would be operated by a single person (the applicant), and it is believed that the client base would be small and the visit to the beauty salon would be by appointment. It is not

expected to have a steady stream of customers, where the amenity of the area will be adversely affected.

In terms of impact on adjacent properties, the outbuilding is modest in scale and is adequately set back from the common boundary with adjacent properties. It therefore does not cause any overbearing impact or overshadowing. It does not take away the privacy of the adjacent properties because it is sufficiently screened. The beauty salon use is not particularly intrusive and would not generate significant adverse environmental impact.

Environmental protection

The Environmental Protection officer has not objected to the proposal. However, they have commented that the proposed development is close to residential dwellings on Whitehouse Way and are concerned that any future change in commercial activity may harm residential amenity.

Following discussions between the Environmental Protection officer and the applicant, the department recommends the inclusion of a condition to restrict the hours of opening should planning permission be granted. This condition will be applied to the decision notice should permission be granted. It is also proposed to restrict the use of the building to a beauty salon to prevent any future change of use without the need for formal planning permission; this is because other uses falling within use class E could potentially have a different level of impact to the proposed use.

Highways

Policies T2 and T19 are concerned with access to development and parking provision. Highways have no comments or objections to make on this application. The proposed use is small-scale in nature and is not likely to result in a significant level of vehicle movements to and from the site, or parking within the highway.

The proposal therefore complies with policies T2 and T19, and the standards of the development plan.

Drainage

The application site is within SFRA flood zone 1. The LLFA Drainage Team has no objections to the proposed development. Accordingly, it is unlikely the outbuilding would raise any issues from surface water or flooding.

Town council comments

Epworth Town Council objects to the application on the basis that it would be used for a business in a residential area and the outbuilding would result in over-development of the site. These concerns have been addressed in this report.

Conclusion

The proposed business would not result in a marked rise in traffic or people calling. In addition, the scale of the beauty salon business is not considered significant and does not involve any activities unusual in a residential area. Plus, the business would not disturb the neighbours at unreasonable hours or create a nuisance such as odour.

The proposed business is considered appropriate subject to conditions, given the scale and nature of the proposed business as outlined above.

The outbuilding sits comfortably within the curtilage of the dwelling without affecting the character and appearance of the main dwelling or surrounding properties.

The outbuilding does not raise any issues of overbearing impact, overshadowing or privacy, and complies with the relevant policies of the North Lincolnshire Local Plan and Core Strategy. It is therefore recommended for approval.

RECOMMENDATIONS 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 development hereby permitted shall be carried out in accordance with the following approved plans:

- Location Block Plan - 23 15 01C
- Parking Plan - 23 15 06
- Proposed Plans and Elevations - 23 15 02D.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.
The hours of opening shall be restricted to:

- Tuesday and Wednesday: 9.30am to 5pm
- Thursday: 9.30am to 8pm
- Saturday: 8am to 4pm
- Sundays and Bank Holidays: closed.

Collections and deliveries shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

To minimise the impact of the development on adjacent properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.
The beauty salon shall be run by the applicant or a person solely or mainly living in the dwelling 1 Whitehouse Way, Epworth, DN9 1GS.

Reason

To protect the living conditions of nearby properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any statutory instrument revoking and re-enacting that Order with or without modification), the outbuilding shall be used solely for residential use and for the beauty salon and for no other use.

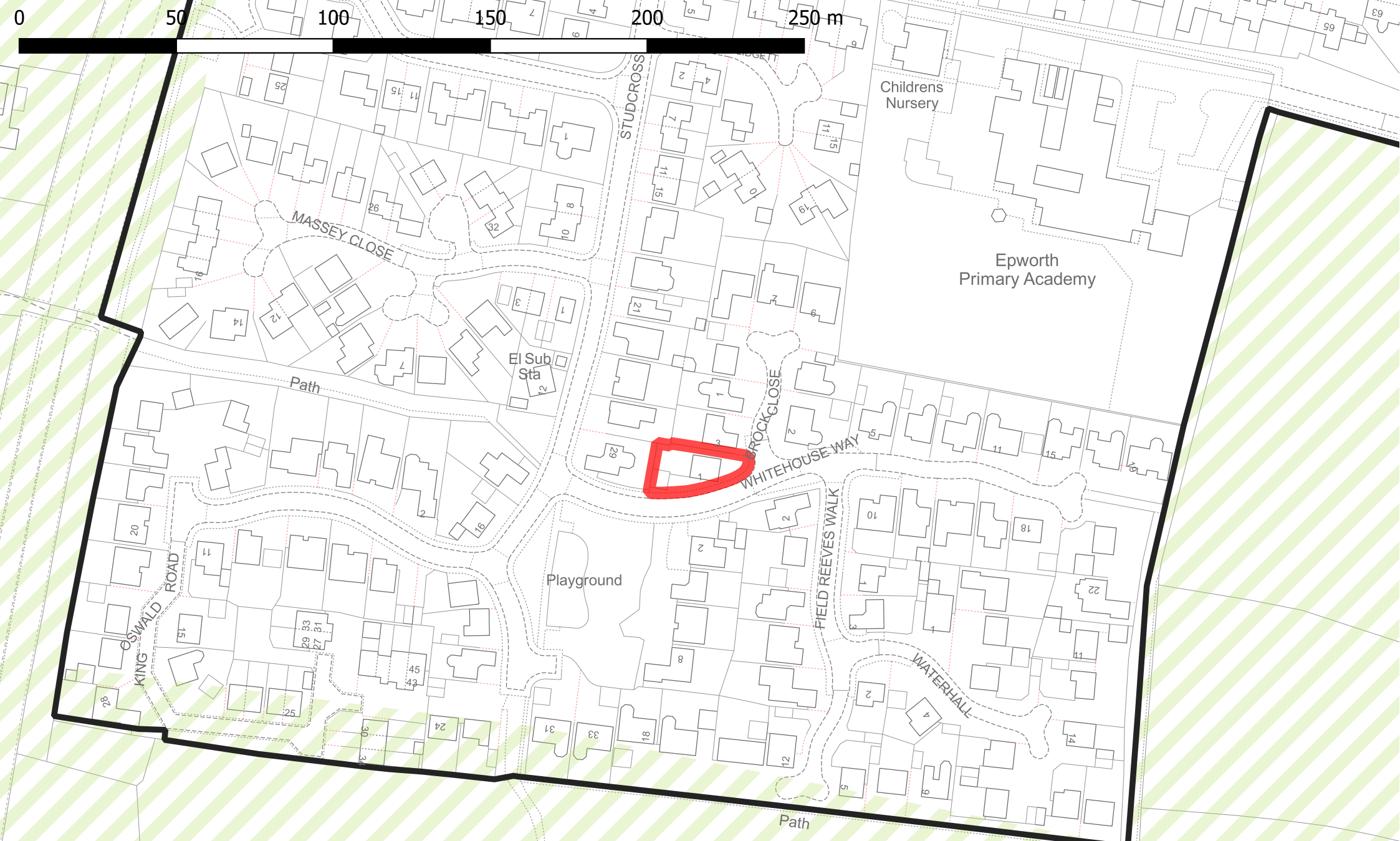
Reason



To protect the residential amenity of the adjoining sites in accordance with policies DS1 and DS5 of the North Lincolnshire Local Plan.

Informative

In determining this application, the council, as a 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.

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 Development Boundary
 LC14 Isle of Axholme Area of Special Historic Landscape Interest

**North
Lincolnshire
Council**

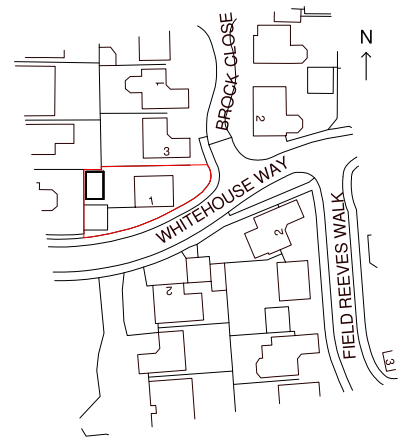
PA/2023/659

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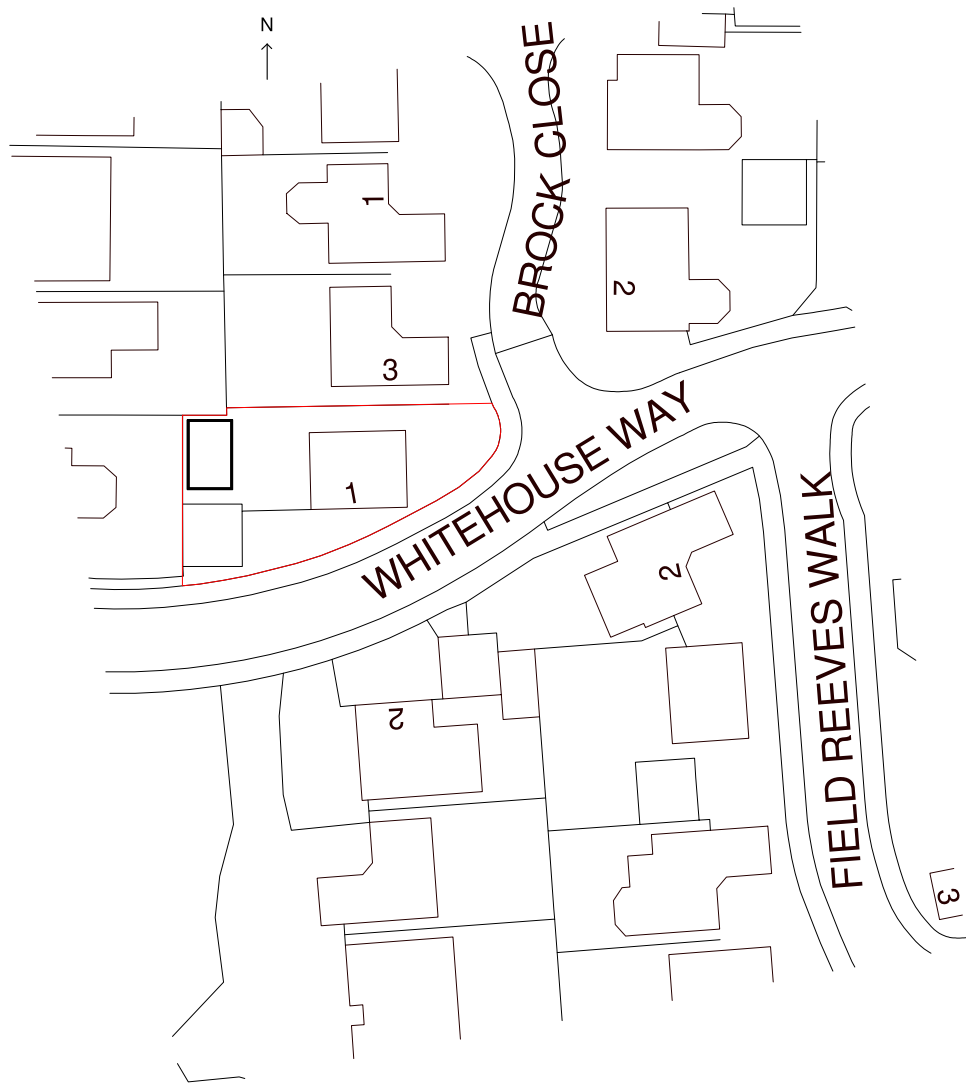
PA/2023/659 Proposed siting (not to scale)

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Location Plan @ 1:1250



Block Plan @ 1:500

RevC : Amendments made following clients comments (03/03/23)
 RevB : Amendments made following clients comments (03/03/23)
 RevA : Amendments made following clients comments (03/03/23)



Client
 Olivia Cook

Job
 1 Whitehouse Way,
 Epworth,
 Doncaster,
 DN9 1GS

Drawing Title
 Location Block Plan

Sheet Size/Scale A3 As indicated

Project Lead Gower Garner

Drawn By GG **Checked By** AP

Date 02/03/23

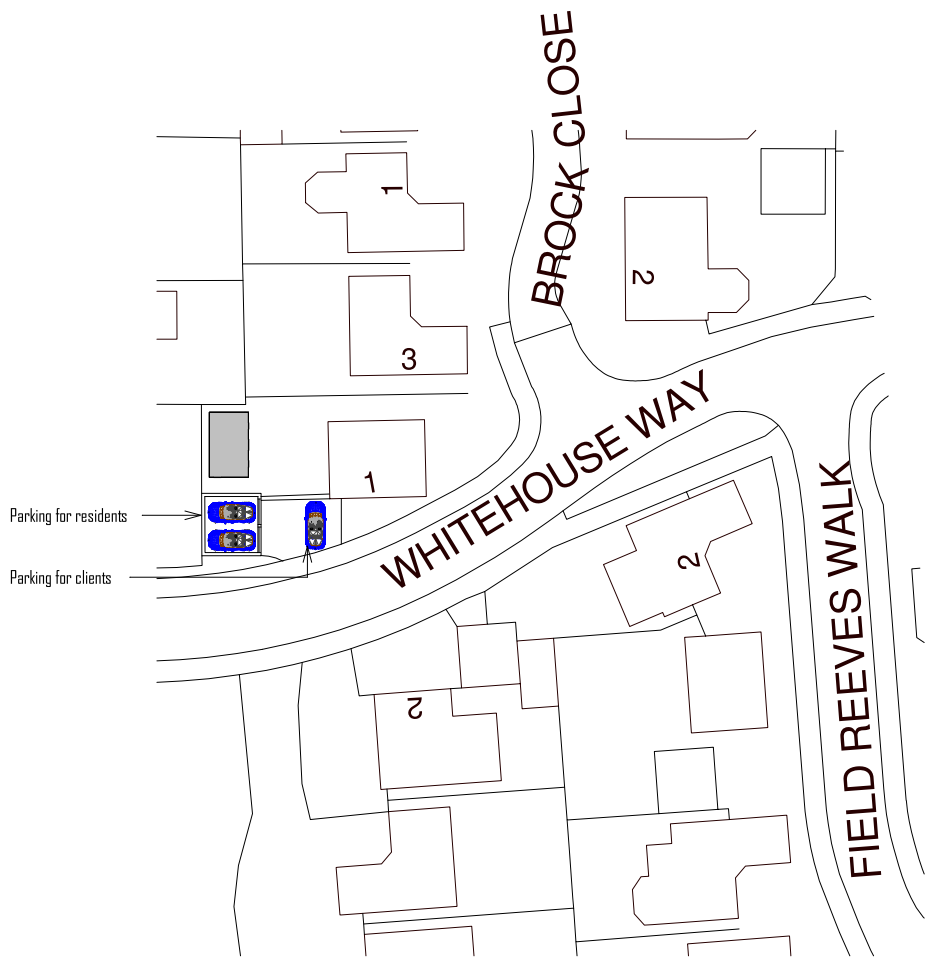
Drawing Status Planning Purposes

Drawing No. 23_15_01C

PA/2023/659 Proposed parking (not to scale)

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Parking Plan @ 1 : 500

	<p>GS Design Chartered Architects Brookfield Lodge Main Road Hollersage S22 8B tel: 01430 850335 email: info@gsdesign.com</p>
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Olivia Cook

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1 Whitehouse Way,
Epworth,
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Drawing Title
Parking Plan

Sheet Size/Scale A3 1:500

Project Lead Gower Garner

Drawn By GG **Checked By** AP

Date 14/04/23

Drawing Status Planning Purposes

Drawing No. 23_15_06

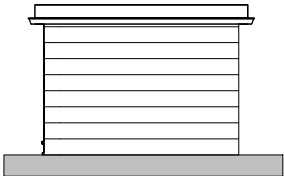
PA/2023/659 Proposed elevations (not to scale)

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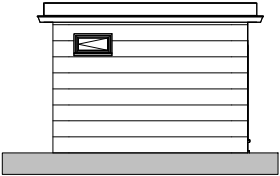
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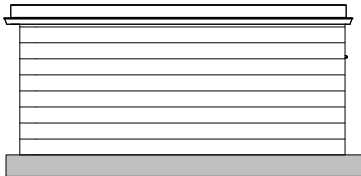
Front Elevation @ 1 : 100



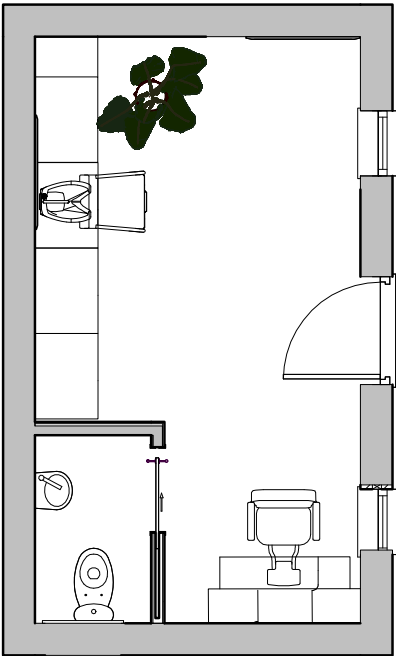
Side Elevation @ 1 : 100



Side Elevation @ 1 : 100



Rear Elevation @ 1 : 100



Proposed Plans @ 1 : 50

RevD : Amendments made following clients comments (03/03/23)

RevC : Amendments made following clients comments (03/03/23)

RevB : Amendments made following clients comments (03/03/23)

RevA : Amendments made following clients comments (03/03/23)

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Client
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Drawing Title
Proposed Plans and Elevations

Sheet Size/Scale A3 As indicated

Project Lead Gower Garner

Drawn By GG **Checked By** AP

Date 02/03/23

Drawing Status Planning Purposes

Drawing No. 23_15_020