

APPLICATION NO	PA/2023/1367
APPLICANT	Hannah Shields
DEVELOPMENT	Planning permission to erect a domestic timber garden building and use as a part-time work-from-home beauty salon
LOCATION	Meadow Vale, Chapel Road, Crowle, DN17 4BN
PARISH	CROWLE
WARD	Axholme North
CASE OFFICER	Deborah Oikeh
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan

POLICIES

National Planning Policy Framework:

2 Achieving sustainable development

12 Achieving well designed places

North Lincolnshire Local Plan:

DS1 General requirements

DS7 Contaminated land

DS14 Foul sewage and surface water drainage

DS16 Flood risk

T2 Access to development

T19 Car parking provision and standards

RD2 Development in the countryside

North Lincolnshire Core Strategy:

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

Housing and Employment Land Allocations Development Plan Document

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

SS3 Development principles

SS10 Development limits

DM1 General requirements

RD1 Supporting sustainable development in the countryside

CONSULTATIONS

Highways: Recommend conditions.

LLFA Drainage: No objections subject to a condition.

Environmental Protection: No objection subject to a condition.

Canal and River Trust: No comments.

TOWN COUNCIL

Ensuring the implementation of adequate sewage and drainage infrastructure if necessary, this council has no further observations on this application.

PUBLICITY

A site notice has been displayed and the application has been advertised in the press. No comments have been received.

ASSESSMENT

Planning history: None.

Proposal and site characteristics

This proposal seeks to erect a timber garden outbuilding. The outbuilding would be dual-purpose, for use as a summerhouse and beauty salon; however, the business use would be low-key. The proposed structure would measure 9m by 3m, and approximately 2.5m high. The application site is classed as open countryside for the purpose of planning and comprises a two-storey detached dwelling and a large grassed area to the side and rear of the site. The

site is also within flood zone 2/3 fluvial, however the Environment Agency's standing advice for small-scale development would be followed.

Site constraints

- The site lies outside the development boundary of Crowle according to the HELADPD 2016.
- The site is within SFRA flood zone 2/3a fluvial.

Main considerations

- **The principle of the development**
- **Impact upon residential amenity**
- **Impact upon character and appearance**
- **Impact upon access and highway safety**
- **Flood risk and drainage**
- **Impact from noise.**

The principle of the development

The development plan for North Lincolnshire comprises three parts: those policies of the North Lincolnshire Local Plan (2003) which were saved by a direction of the Secretary of State in September 2007, the North Lincolnshire Core Strategy DPD (2011), and the Housing and Employment Land Allocations DPD (2016).

Policy CS1 sets out the overarching spatial strategy for North Lincolnshire and states, '...Scunthorpe will be the focus for the majority of new development and growth, including housing, employment, retail, sustainable transport links, and higher order services and facilities to serve North Lincolnshire.' The policy also supports development in the market towns, including Crowle, as thriving places to live, work and visit. The policy further states, 'In the countryside, support will be given to development that promotes rural economic diversification and small-scale employment opportunities, particularly on previously used land or in existing rural buildings.'

Policy CS2 states, 'Any development that takes place outside the defined development limits of settlements or in rural settlements in the countryside will be restricted. Only development which is essential to the functioning of the countryside will be allowed to take place. This might include uses such as those related to agriculture, forestry or other uses which require a countryside location or which will contribute to the sustainable development of the tourist industry.'

Policy CS3 deals with the application of development limits within the Scunthorpe urban area, the market towns and rural settlements. However, limits will not be applied to rural settlements in the countryside.

Policy CS11 relates to the provision and distribution of employment land. It states, 'The council will support the continued expansion and improvement of North Lincolnshire's

economy in order to create a step change in the area's role regionally and nationally.' The policy provides a list of locations to be included in the strategic sites.

The application site is therefore in breach of policies CS1, CS2, CS3 and CS11 as the site is outside of Crowle's development boundary. The proposal therefore conflicts with the aforementioned policies.

Nevertheless, paragraphs 84 and 85 of the NPPF focus on supporting rural economy. The NPPF encourages policies and decisions to support sustainable growth and expansion of all types of business in rural areas. Paragraph 85 further states, 'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable.'

In addition, the proposal may also benefit from permitted development rights as a domestic outbuilding subject to it being in the original residential curtilage. In this case, there is an existing dwelling on the site and this application seeks to erect an outbuilding to serve as a beauty salon and summerhouse. Although the outbuilding would be sited in the middle of the garden, away from the main dwelling, it would be erected between the existing dwelling and the stable also on the site.

Impact upon residential amenity

Policy DS5 of the North Lincolnshire Local Plan is concerned with residential extensions. It states that planning applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed providing that the proposal does not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing impact or loss of privacy to adjacent dwellings. The proposals should also be sympathetic in design, scale and materials to the existing dwelling and its neighbours.

The proposal is a timber-framed outbuilding with openings to the front elevation. It measures 9m by 3m by 2.5m and is proposed to be sited between the main dwelling and a stable belonging to the family. The neighbouring dwellings are Rosedene, KonTiki and Rose Cottage, all of which are a reasonable distance away from the proposal. Being a single-storey structure, it would be partly screened by the stable and the host's dwelling. Openings to the proposal are also front-facing. Therefore, any overlooking of adjoining sites would be limited.

It is therefore considered that the proposal would not carry unacceptable overbearing, overlooking or overshadowing impacts that would be detrimental to the residential amenity rights of adjoining neighbours and aligns with policy DS5.

Impact on the character and appearance of the street scene

Policies DS5 and CS5 are both concerned with visual amenity, the former stating that proposals should be sympathetic in design, scale and materials.

The proposal would be sited between existing built forms and dwellings in the area. The outbuilding would be a single-storey structure, about 9m long, set back from the principal wall of the original dwelling and would be laid across the spacious side garden. The site is also partly screened by trees and planting lining the edge of the road and so not readily visible from the road. Visibility may, however, be possible when the leaves fall. Nevertheless, the

traditional timber material makes the design and appearance sympathetic. Given the assessment under this section, the proposal is considered such that would not create an adverse impact upon the setting's character. It is therefore considered that the proposal complies with policies DS5, RD2 and CS5.

Impact upon access and highway safety

Policy T1 of the North Lincolnshire Local Plan is concerned with the location of development and aligns with the spatial strategy of the Core Strategy. Policy T2 states that all proposals should be provided with a satisfactory access. Policy T19 of the local plan is concerned with parking provision as well as general safety and is also considered relevant.

The application site is currently accessed via a road off Godnow Road in Crowle. The site has a reasonable level of on-site parking which should provide additional parking space for one client per appointment. The highways team has been consulted and no objections have been raised.

Flood risk and drainage

Policy CS19 (this policy sits alongside DS16 of the local plan) is concerned with flood risk and states that the council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere. This will involve a risk-based sequential approach to determine the suitability of land for development that uses the principle of locating development, where possible, on land that has a lower flood risk, and relates land use to its vulnerability to flood.

The application site is set within SFRA flood zone 2/3. However, being a minor development, Environment Agency standing advice would be followed. The applicant's supporting statement highlights that the finished floor level of the outbuilding would be above 300mm to comply with the EA's standing order which the existing dwelling and stable cannot conform to. LLFA Drainage have raised no objections following consultation. The proposal is therefore considered acceptable.

Impact from noise

Policy DS1 partly relates to noise, nuisance and odour arising from a proposed development. With regard to noise, the supporting statement highlights the mode of operation the business intends to employ. According to the applicant's supporting statement, they would offer the service to only one client at a time based on appointments. Services will not exceed 25 hours per week. The Environmental Protection team recommend a condition restricting operating hours to mitigate any potential noise impact. This condition shall be attached to any permission the council is minded to grant.

Conclusion

The proposed outbuilding is set in the countryside; however, the site is within a residential setting some metres away from Crowle. Paragraphs 84–85 of the NPPF encourage policies and decision-making to support rural economy growth and the expansion of all business types in rural areas. Although the outbuilding would be dual-purpose, for use as a summerhouse and beauty salon, the business use would be low-key. The proposal also benefits from permitted development rights as an outbuilding; hence, it can be built and adapted to a home office/low-key business use without planning permission. To restrict the intensification and impact of the business on the site, the applicant has recommended a

condition stating that no other staff, apart from themselves, can carry out works on the premises. No objections or concerns have been raised by neighbours to this proposal and the Environmental Protection team have raised no objections subject to the inclusion of time restriction conditions which the applicant is aware of. Granting this approval will protect the council's interest by restricting the use of the site for business without formal approval. Given that the business operation is a low-key use, the proposal is recommended for approval.

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

- Location plan p2e/uk/982500/1324245
- Existing and proposed site plan 002
- Proposed elevation and floor plans 003.

Reason

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

3.

The external materials to be used in the construction of the outbuilding hereby approved shall be as provided on the application form.

Reason

In the interest of the visual amenity of the area in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

The hours of use of the outbuilding for beauty salon business within the premises shall be restricted to:

- 9am to 8pm on Mondays
- 9am to 6.30pm Tuesday to Friday
- 9am to 12 midday on Saturdays

and it shall remain closed on Sundays and bank holidays.

Reason

To protect the residential amenity of the area in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

The activity 'beauty salon' hereby permitted on the premises 'Meadow Vale, Chapel Road, Crowle, DN17 4BN' shall be carried out by no other staff or person except the applicant 'Hannah Shields'.

Reason

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

6.

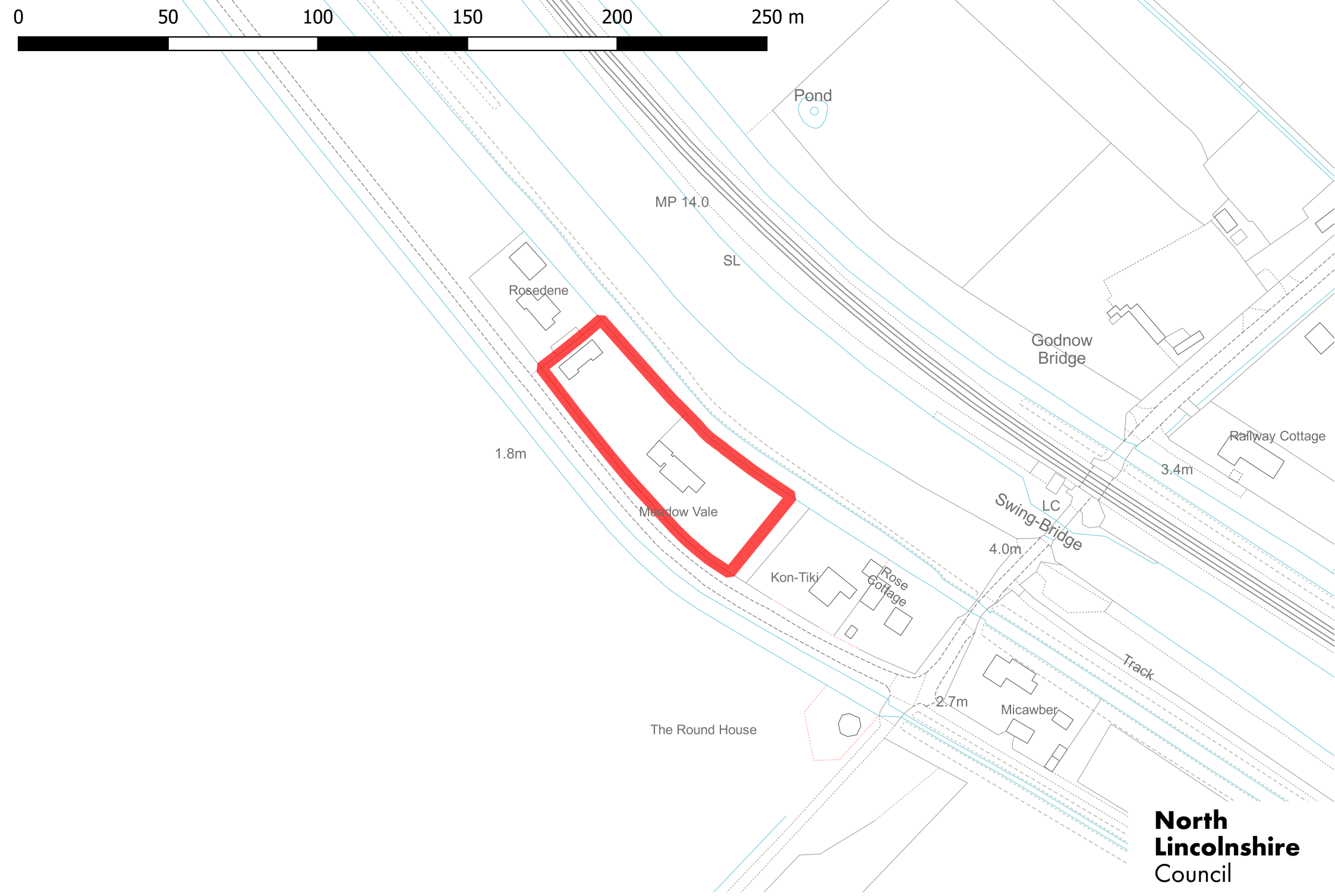
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any statutory instrument revoking and re-enacting that Order with or without modification), the outbuilding shall be used solely for residential use and for the beauty salon and for 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

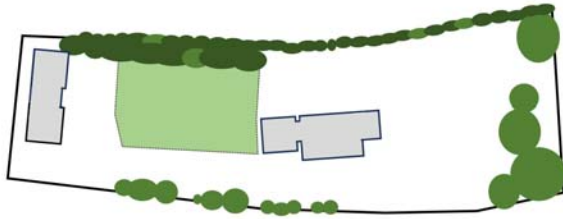
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



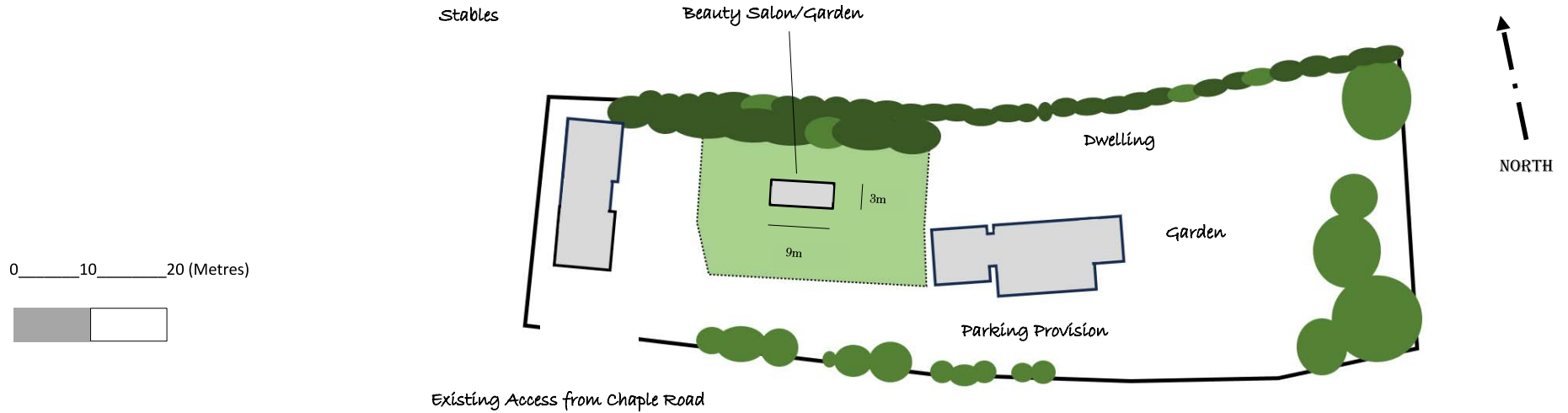
**North
Lincolnshire
Council**

PA/2023/1367 Proposed siting (not to scale)

Existing Site Plan



Proposed Site Plan



Drawing Title	Notes	Drawing Number
Existing & Proposed Site Plans	Do not scale. House and stables not surveyed.	002