

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H22-0320-23 **Applicant:** Mr & Mrs O Booth
Proposal: Change of use of garage to hair salon
Location: 315 Broadgate Weston Hills Spalding
Terminal Date: 1st June 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework 2021

12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for change of use to a hair salon. The existing garage door will be removed and replaced by a window. A door will be added on the east facing side elevation to access the salon, and the finished floor level of the garage will be raised to match that of the dwelling. The proposed hair salon will have one employee and will open 08:30 to 18:00 Monday to Friday and 08:30 to 17:00 on Saturdays. The converted garage will be the only room in the dwelling used for business purposes. The proposed works to the dwelling and the scale of the proposed use are such that a full application would not usually be required unless site specific conditions stated so. Permitted development rights have not been removed for this property, nor have any conditions been added preventing small scale business operations that are incidental to the residential use on site.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and designs in all directions. The site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Foul water drainage will be addressed by the mains sewer that connects to the existing drainage system.

RELEVANT HISTORY

H22-0941-17

Outline - Residential development for up to 4 dwellings - Approved - 21 November 2017.

H22-0864-19

Reserved Matters - Erection of 3 dwellings - outline approval H22-0941-17 - Approved - 22 October 2019.

CONSULTATION RESPONSES

Lincolnshire County Council - Highways & SUDS Officer

"The applicant has demonstrated that there will be sufficient parking available for appointment based viewing between the hours of 8:30am-6:00pm (Monday-Friday) and 8:30am-5:00pm (Saturday) with only one appointment viewing at a time and will have a minimal impact upon the highway network. The existing parking and access arrangements are satisfactory with suitable visibility to allow drivers intending entering the highway to judge if it is safe to complete the manoeuvre. Therefore, it is considered that the proposals would not have an unacceptable impact upon highway safety."

South Holland Internal Drainage Board

"The proposed application does not meet our threshold for commenting. Therefore the Board has no comments to make."

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy - Other Service Centres and Settlements

This proposal is assessed against SELLP Policy 1 titled - Spatial Strategy. The relevant section in this policy is titled Other Service Centres and Settlements. This section of the policy states:

Within the settlement boundaries of the Other Service Centres and Settlements (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. Development will normally be limited to Committed sites and infill.

When assessed against the relevant criteria the following can be observed:

The proposal will help to meet the service needs of Weston Hills. There are no purpose built

barbers or hairdressers in the settlement limits of Weston Hills. The proposal will help to reduce vehicular journeys by providing a local salon for local people.

This application accords with SELLP Policy 1.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:

1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the relevant criteria the following can be observed:

1. The size and scale of the dwelling is not impacted by the proposal. The layout will be slightly amended to allow the salon to operate successfully. No trees will be removed to facilitate this proposal. There is not considered to be a material impact on the character and appearance of the area as a result of this proposal.
2. The design and orientation of the proposed hair salon is in keeping with the existing dwelling in which it is sited.
3. The proposed window will be grey UPVC with a reconstituted stone cill. The side elevation door will be grey composite. The proposed window and door are in keeping with the existing windows and doors on site.
4. The existing access is not being altered. The site could previously accommodate five vehicles if the garage was utilised. Whilst one off road parking space is lost to the garage, there are four spaces remaining if the customer parking space is not utilised. The dwelling has four bedrooms. A minimum of three off road parking spaces are required under Appendix 6 of the SELLP. The amended site layout remains in accordance. The County Highways and SUDS Officer has not objections to the submitted details.
5. The capacity of existing community services and infrastructure are not impacted by this proposal.
6. Due to the proposed salon operational hours being during normal working hours there is not considered to be a material noise, odour or disturbance impact from the proposal. Waste will be collected in a bin within the salon and put out for collection with the existing household waste. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposal is not considered to represent overdevelopment. The dwelling is not being increased in size, and ample off road parking remains for customers and occupants of 315 Broadgate.

Overshadowing - The dwelling is not being increased in size so there will not be any light loss as a result of the proposal.

Overlooking - The proposal is not considered to generate an overlooking impact. The side elevation ground floor door serving the salon faces a 1.8 metre high timber fence to the eastern boundary. The south facing frontage window serving the salon is 31 metres from the side elevation blank walls of Clayton Crescent at the nearest point.

7. The site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or

flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Foul water drainage will be addressed by the mains sewer that connects to the existing drainage system.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the relevant criteria the following can be observed:

1. The size and scale of the dwelling is not impacted by the proposal. The layout will be slightly amended to allow the salon to operate successfully. No trees will be removed to facilitate this proposal. There is not considered to be a material impact on the character and appearance of the area as a result of this proposal. A sense of place is not considered to be impacted by the proposal.

5. Ample space remains on site for bicycle and bin storage. The existing access is not being altered. The site could previously accommodate five vehicles if the garage was utilised. Whilst one off road parking space is lost to the garage, there are four spaces remaining if the customer parking space is not utilised. The dwelling has four bedrooms. A minimum of three off road parking spaces are required under Appendix 6 of the SELLP. The amended site layout remains in accordance. The County Highways and SUDS Officer has not objections to the submitted details.

11. Due to the proposed salon operational hours being during normal working hours there is not considered to be a material noise, odour or disturbance impact from the proposal. Waste will be collected in a bin within the salon and put out for collection with the existing household waste. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposal is not considered to represent overdevelopment. The dwelling is not being increased in size, and ample off road parking remains for customers and occupants of 315 Broadgate.

Overshadowing - The dwelling is not being increased in size so there will not be any light loss as a result of the proposal.

Overlooking - The proposal is not considered to generate an overlooking impact. The side elevation ground floor door serving the salon faces a 1.8 metre high timber fence to the eastern boundary. The south facing frontage window serving the salon is 31 metres from the side elevation blank walls of Clayton Crescent at the nearest point.

12. The site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Foul water drainage will be addressed by the mains sewer that connects to the existing drainage system.

This application accords with SELLP Policy 3.

PLANNING BALANCE

The proposed business is considered to be incidental to the primarily residential use of the dwelling and will not have a material impact on the character and amenity of the area. The installation of a window and door at ground floor level constitute permitted development and are constructed to match the existing materials on site.

CONCLUSION

This application is considered to accord with Policies 1, 2, 3, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

RECOMMENDATION

This application is recommended for approval.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European

Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.