

<b>APPLICATION NO</b>	<b>PA/2011/0910</b>
<b>APPLICANT</b>	Appleby Bridal & Prom
<b>DEVELOPMENT</b>	Planning permission to retain a change of use to a boutique
<b>LOCATION</b>	3 Beck Lane, Appleby
<b>PARISH</b>	<b>APPLEBY</b>
<b>WARD</b>	Broughton and Appleby
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Appleby Parish Council

## **POLICIES**

**Regional Spatial Strategy for Yorkshire and the Humber:** No specific policies apply.

**North Lincolnshire Local Plan:** Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:

- (i) the design and external appearance should reflect or enhance the character, appearance, and setting of the immediate area;
- (ii) the design and layout should respect and, where possible, retain or enhance the existing landform;
- (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing;
- (iv) amenity open space should be retained where possible;
- (v) no pollution of water, air or land should result.

Policy DS4 (Changes of Use in Residential Areas) – 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 or 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.

**North Lincolnshire Core Strategy:** No specific policies apply.

## **CONSULTATIONS**

**Highways:** No objections.

## **PARISH COUNCIL**

Object to the proposal on the grounds that the change of use would be inappropriate in what is a residential area and would adversely harm the character of Appleby itself. Furthermore they consider that the change of use would encourage on-street car parking which would restrict the movements of public transport on what is a narrow lane.

## **PUBLICITY**

Neighbouring properties have been notified. One letter of objection has been received objecting on the grounds that the proposal is based on a narrow lane that could be blocked for public transport, would change the character of the area and would lower the value of nearby properties.

## **ASSESSMENT**

Planning permission is sought for the retention of the change of use of a brick-built garage to a boutique at 3 Beck Lane, Appleby. The garage in question is located to the rear of the bungalow at 3 Beck Lane, which has a driveway running alongside it, stretching to the rear and the garage. Neighbouring properties are all of similar size and style, with Beck Lane characterised by bungalows.

**The main issues to consider in the determination of this application are whether or not the change of use adversely affects the character of the area and has an adverse impact in terms of on-street car parking.**

The building in question is a converted garage, which is located to the rear of the property. As such it is considered that there is no adverse visual impact by the change of use. The same applies in relation to the character of the area. It is considered that 3 Beck Lane has enough capacity to accommodate up to seven cars on its driveway; therefore there should be no need to park on the road – certainly, upon visiting the site, there was no evidence of this. Nevertheless, as a public highway on which there are currently no restrictions, cars are free to park on the road. For this situation to change, the Highway Authority would need to establish restrictions such as double yellow lines.

The applicants state that the business is run on an appointment-only basis. This can be enforced by the use of conditions. The current hours of operation are given as 10am to 6pm Monday to Saturday, and 10am to 4pm on Sundays, with no more than two appointments on any one day. Again, this can be controlled by condition.

It should be noted that policy DS4 (Changes of Use in Residential Areas) does allow changes of use in residential areas, provided that there are no adverse impacts on the locality and character of the area. In the opinion of the local planning authority the business has little impact on the area and, subject to conditions, there is considered to be no reason to refuse the application.

Therefore, in accordance with policies DS1 and DS4 of the North Lincolnshire Local Plan, the proposal is recommended for approval.

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

1.

The business shall operate between the hours of 10am to 5pm Monday to Saturday and 10am to 4pm on Sundays. It shall not operate on public/bank holidays.

Reason

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

2.

No more than two appointments shall be made on any one working day. A log book detailing the time, date and addressee of each appointment shall be kept on site and shall be available for inspection at any time by the local planning authority.

Reason

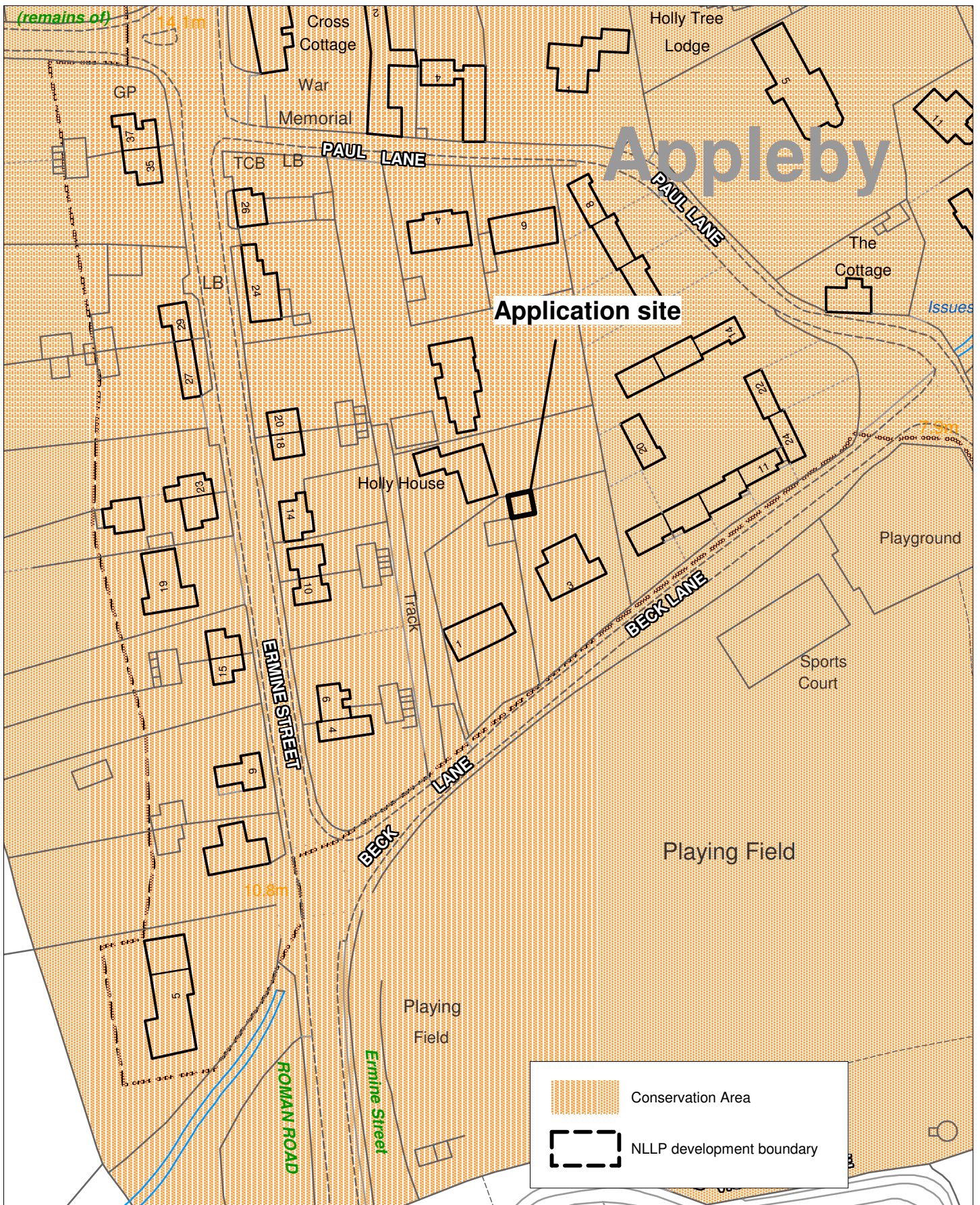
To protect the amenity of adjoining residential properties, in accordance with policy DS1 of the North Lincolnshire Local Plan.

3.

The use hereby permitted is limited to Mr Jackson as the operator of Appleby Bridal and Prom Hire or his successor in title. When the business ceases to be operated by Mr Jackson, or his successor in title, the use shall cease and all materials and equipment brought onto the premises in connection with the use shall be removed.

Reason

Permission is granted only after taking account of the manner in which the premises are being/will be used and therefore as an exception to policy DS4 of the North Lincolnshire Local Plan.



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**Regeneration and Planning**

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