

APPLICATION NO	PA/2019/527
APPLICANT	Mrs Charlene Everitt
DEVELOPMENT	Planning permission to erect a log cabin in rear garden to run a hairdressing business
LOCATION	2 Elmdale, Barton upon Humber, DN18 5EB
PARISH	Barton upon Humber
WARD	Barton
CASE OFFICER	Emma Carrington
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Cllr Paul Vickers – significant public interest) Objection by Barton upon Humber Town Council

POLICIES

National Planning Policy Framework: Paragraphs 7 and 8 state that:

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
 - (a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - (b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - (c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 11 states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.

Paragraphs 124–132 state that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

North Lincolnshire Local Plan:

DS1 - General Requirements

DS4 - Changes of Use in Residential Areas

T2 - Access to Development

T19 - Car Parking Provision and Standards

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

CS22 - Community Facilities

CONSULTATIONS

Highways: To be reported verbally as still awaiting a parking layout from the applicant.

Environmental Protection: Recommends conditions relating to opening hours, appointment system only, and use ceases if the property is sold or let.

PARISH COUNCIL

Objects on the following grounds:

There are several adjoining gardens to this property and there is a lack of vehicular parking. The property is sited on a road junction, therefore on-street parking is unsuitable. The location is purely residential and it is felt unfair on the surrounding properties that a business should be run from this dwelling when there are plenty of other available business premises in the town, particularly as the applicant has future plans to expand the business.

PUBLICITY

Advertised by site notice. Two letters have been received in support, commenting that the business will not have a detrimental effect on amenity, and that the applicant has discussed the proposal, and the neighbour is in full support of the application.

ASSESSMENT

Planning permission is sought to erect a detached wooden summer house style building in the rear garden of a detached dwelling in the settlement boundary for Barton. If the structure were to be used for domestic use, it is within the size requirements to be permitted development. However, the applicant wishes to erect the building for business purposes, namely a hairdressing business. No specific business opening times have been put forward, but the applicant has suggested the use will operate with flexible hours. Customers will be visiting on an appointment only basis. An area to the front of the dwelling has been identified for parking, but at this stage it is not clear whether this will meet the needs of the applicant's family and the visiting customers, or whether cars will be required to park in the highway.

The main issue in the determination of this application is whether the proposed business use will have a detrimental impact on the character of the area or on the amenities of surrounding residential properties, and whether there is sufficient on-site parking provision for both the dwelling and customers.

The proposed summer house is located in the rear garden of the applicant's detached property. As the garden is quite small, the summer house is in very close proximity to a number of surrounding properties. It is 5.6 metres away from the rear of the applicant's property, 1 metre at most from the northern boundary, 2.2 metres from the southern boundary, and 3.8 metres from the eastern boundary. Whilst the building itself is not considered to be harmful to the amenities of surrounding neighbours, or the character of the area, the business use, in such close proximity to neighbouring properties, raises concerns about maintaining the residential character of the property in this established residential area. Policy DS4 of the North Lincolnshire Local Plan states 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 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.'

In this particular case, it is difficult to see how a wooden structure to be used as a hairdresser's business, located on the boundary with other, wholly residential properties, would maintain the residential character of the existing property. The applicant indicates that the business may expand and employ staff in the future. This would further increase the intensity of the business, including additional traffic with additional parking requirements. Policies in the local plan and Core Strategy encourage the development of new businesses and employment-generating opportunities. The applicant's business is to be encouraged. However, it is considered that the erection of a detached wooden building in such a small garden area, in a closely built-up area, is not the right place in planning terms, due to the impact on residential amenity and the character of the area.

Two neighbours have written in support of the proposal and consider that the use will not have a detrimental impact on their amenities. However, in planning terms, the use is considered to be inappropriate as referred to above. The council's environmental protection team has not raised objections, but recommend conditions.

The highways department has requested a layout plan to show the parking arrangements to ensure that the site can accommodate the needs of the dwelling and the business use, but this matter is still not resolved fully.

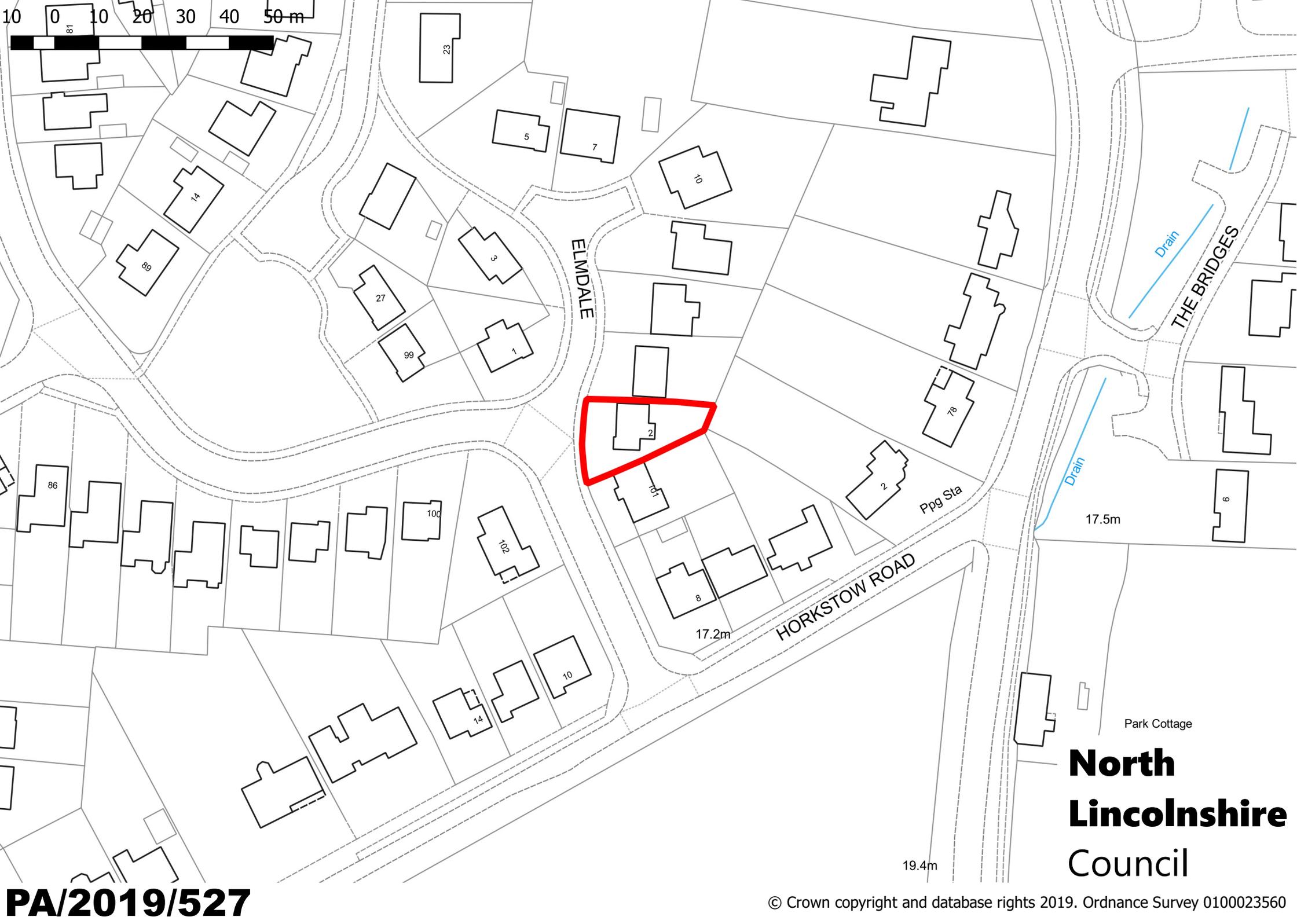
The town council has objected to the application, concerned about the impact of the proposal on residential amenity and parking/access issues. The town council also suggests that the use could be run from existing commercial premises in the town, particularly as the applicant may wish to expand in the future.

It is considered that the proposal, as submitted, is unacceptable in this location, and is likely to have an adverse impact on the amenities of neighbours due to noise and general disturbance. It is also out of character with the residential nature of the area as a whole and insufficient information has been submitted at this stage to demonstrate that there are adequate parking arrangements available to serve the site, without visitors/residents having to park in the public highway. The application is contrary to the policies in the local plan and Core Strategy and is recommended for refusal.

RECOMMENDATION Refuse permission for the following reasons:

The erection of a log cabin for business purposes in this small garden is considered to be out of keeping with the residential character of the area in which it is located, and being located in such close proximity to residential properties is likely to have an unacceptable adverse impact on the amenity of neighbouring residential properties as a result of increased noise and disturbance. In addition, the applicant has failed to demonstrate that there is adequate parking provision for staff and customers within the site to be used in connection with the proposed business. The proposal is therefore contrary to the provisions of policies DS1, DS4 and T19 of the North Lincolnshire Local Plan and CS22 of the Core Strategy.

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ELMDALE

HORKSTOW ROAD

THE BRIDGES

Ppg Sta

Park Cottage

**North
Lincolnshire
Council**

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2

23

5

7

10

14

89

27

99

1

86

100

102

17.2m

8

2

76

17.5m

6

14

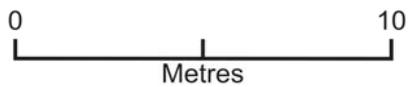
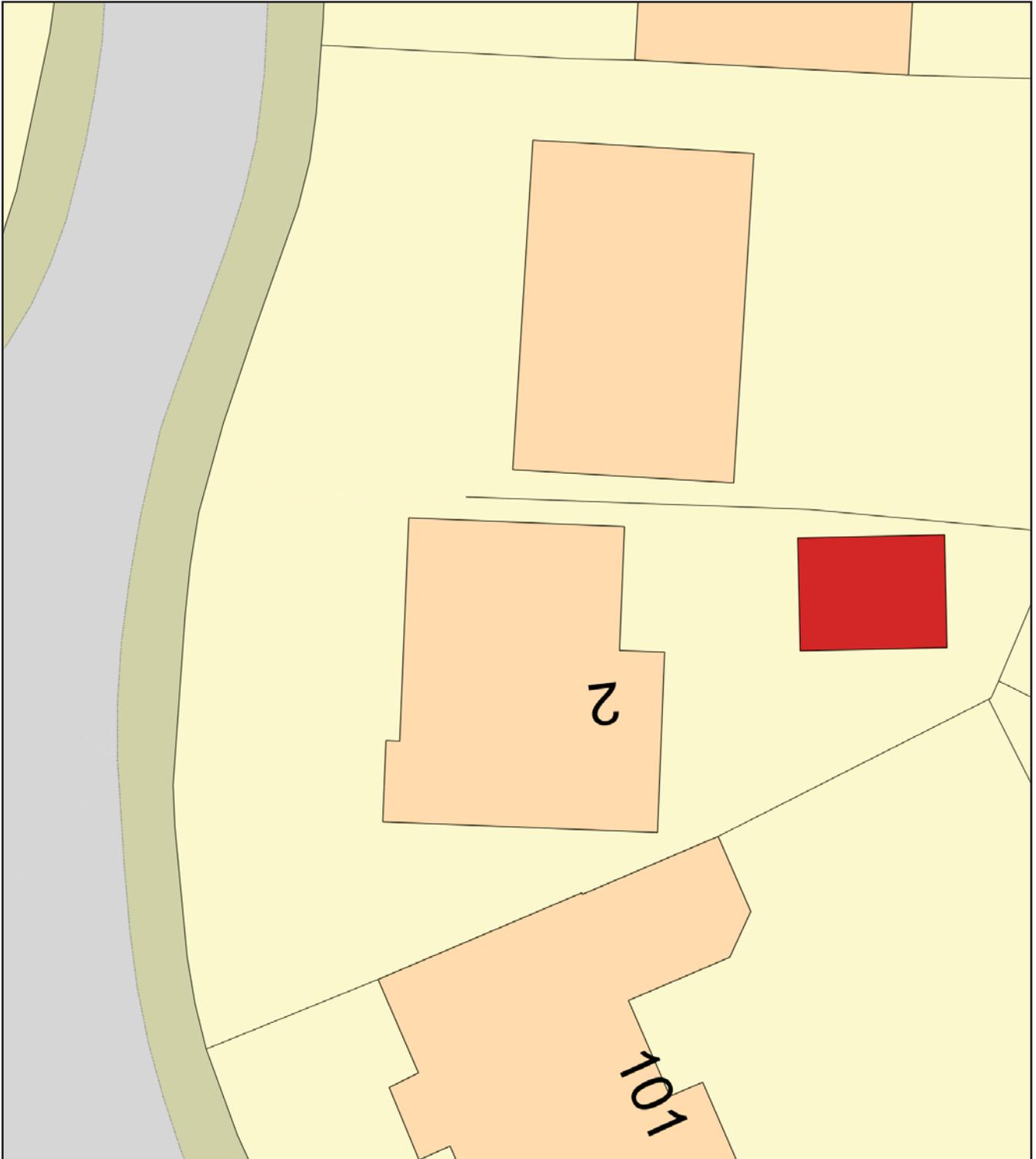
10

19.4m

Drain

Drain

PA/2019/527 Block plan (not to scale)



Plan Produced for: Charlene Everitt
Date Produced: 20 Mar 2019
Plan Number/Project ID: TQRQM19079145119288
Scale: 1:200 @ A4