

ITEM:		RECOMMENDATION: APPROVAL
REF NO:	3PL/2018/0098/F	CASE OFFICER Tom Donnelly
LOCATION:	WATTON 1 Paddock Close Watton	APPNTYPE: Full POLICY: In Settlemnt Bndry ALLOCATION: N CONS AREA: N LB GRADE: N TPO: N
APPLICANT:	Mrs Lopes 1Paddock Close Thetford	
AGENT:	Mrs Lopes 1Paddock Close Thetford	
PROPOSAL:	Erection of Summer House for Beauty Business Use (Sui Generis)	

DEFERRED REASON

This application was deferred at the Committee meeting of 30th July 2018 due to a concern raised by an objector at the meeting that the land shown within the red line for parking provision would encroach on the neighbour's property. It was requested that this was investigated and the red line confirmed on a revised plan. It was also requested that clarification was provided on the provision of electric and heating for the proposed summer house building.

Since the last committee meeting, a revised location plan was provided and a full re-consultation carried out to which no objections were received. The applicant has demonstrated that 2 cars can be parked on the area marked as "parking area" on the revised plan without encroaching on the Public Highway. The Highway Authority have viewed this evidence and have confirmed that they are satisfied with the parking provision. In addition to this, it was requested by the Highway Authority and confirmed by the applicant that the parking area will be gravel surfaced.

With regard to the heating and electric provision for the building, the applicant has confirmed that there will be provision for electric within the building for lights but there are no plans for heating to be provided within the building.

Upon further consideration and consultation with the applicant, it is considered that it is acceptable to amend the proposed condition for hours restriction to increase the opening hours to 7pm as opposed to the previously suggested time of 5pm.

Overall, the development is still considered to be acceptable in planning policy terms and is still recommended for approval, subject to conditions.

REASON FOR COMMITTEE CONSIDERATION

The application is referred to committee at the request of the Ward Member

KEY ISSUES

Principle of development
Design and Appearance
Impact on amenities of adjoining neighbours
Impact on parking provision and highway safety

DESCRIPTION OF DEVELOPMENT

The proposal seeks the erection of a summer house for use as a beauty treatment business (Sui Generis) in the garden of the property. The proposed building measures 3.6m in depth, 3m in width, 2m in height to the eaves and 2.5m in height to the ridge and will be situated to the side of the property. It will be of timber construction. As part of the proposal, it is also proposed to convert some of the front garden area to provide an additional 2 parking spaces. The beauty treatment business will be operated by the applicant and there are no other employees.

SITE AND LOCATION

The application site is at 1 Paddock Close in Watton. It is a two storey residential property located within a residential area bounded by other residential properties. The applications site is situated within a cul-de-sac area served by a turning head.

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

DC.01	Protection of Amenity
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to additional parking being provided and conditions

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to conditions and an informative

REPRESENTATIONS

The neighbour consultation period expired on 09-04-18.
A site notice was also posted which expired on 12-04-18.

12 letters of objection were received with some of the objectors providing more than 1 letter of representation. 3 letters of support for the proposal were also received.

The primary points of objection were the following:

- Impact on parking provision in the close.
- Impact on drainage of removing green space for parking.
- Impact on amenities of the collection of commercial waste.

The letters of support related to the applicant and business, but did not raise any material planning consideration.

ASSESSMENT NOTES

1.0 The key issues of consideration are the principle of the development, the design and appearance of the proposed building, the impact on amenities of adjoining neighbours and the impact on highway safety and parking provisions in relation to Policies DC16, DC1, and DC19.

2.0 Principle of Development-

2.1 A business can be run from a residential property without the need for planning permission dependant on the scale and degree of the operation. In this instance, it is considered that the scale of the business exceeds what can be done without being a material change of use and hence the need for planning permission.

2.2 However, the information provided by the applicants indicates that the scale of activity resulting from the business would not be excessive and is not considered to be unacceptable in this residential location. It is proposed for the business to operate 5 days a week (Monday-Friday) between the hours of 9am and 5pm. There would be a maximum of 5 clients per day.

2.3 Additionally, a condition would be imposed that would limit the number of clients allowed to visit the premises each day so this does not reach an unacceptable level in terms of coming and goings. On balance, the principle of the proposal is therefore considered to be acceptable.

3.0 Design and appearance-

3.1 In terms of the design and appearance of the building, the building measures 3.6m in depth, 3m in width, 2m in height to the eaves and 2.5m in height to the ridge. It will be of timber construction.

3.2 The erection of the summer house for domestic purposes could have been carried out under permitted development rights. Additionally, the external appearance of the proposed building is considered to be acceptable and would not result in a detrimental impact visually.

3.3 The proposal is therefore considered to satisfy the requirements of Policy DC16 in terms of design and appearance.

4.0 Impact on amenities of adjoining neighbours-

4.1 The impact of the proposal on adjoining neighbours was considered with regards to Policy DC1.

4.2 It is not considered that the proposed siting of the summer house would result in a detrimental impact on the adjoining neighbours in terms of overbearing. In response to the objections in relation to the collection of commercial waste, it is proposed to impose a condition that restricts the collection of commercial waste to certain days and times.

4.3 Other than this, the Environmental Health Officer raised no objections to the proposal on other amenity grounds. It is therefore not considered that the proposal would have a detrimental impact on neighbour amenity and is therefore considered to be acceptable with regards to Policy DC1.

5.0 Impact on parking provision and highway safety-

5.1 The impact of the proposal on highway safety was considered in consultation with the Highway Authority. Given that the application site is within a cul-de-sac and traffic speeds within this area will be low, it is not considered that the proposal would compromise highway safety.

5.2 Additionally, it is proposed to create 2 new parking spaces within the curtilage of the application site. It is considered that these additional spaces would be sufficient to mitigate against the impacts of the proposal caused by additional cars for clients parking within this area.

5.3 It is not considered that the additional traffic movements would pose a threat to highway safety. It is therefore considered, on balance, that the proposal is acceptable in highway safety terms and in terms of parking provision and is therefore acceptable with regards to Policy DC19.

6.0 Planning Balance-

6.1 In terms of the overall planning balance of the scheme, a temporary 12 month consent is recommended in order for the LPA to monitor the use of the proposed beauty treatment business.

RECOMMENDATION

Planning Permission

CONDITIONS

- 1 **Temporary use - 1 year**
Unless permission is granted beforehand for its retention, the use hereby permitted shall

cease on or before 4th June 2019 and the land shall be reinstated to its former condition.

Reason for condition:-

In order that the Local Planning Authority may retain control over development which could become detrimental to the amenities of the locality.

2 In accordance with submitted plans NEW 2017

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:-

To ensure the satisfactory development of the site.

3 External materials as approved

The development hereby permitted shall be constructed using the materials specified on the planning application form and / or submitted drawings.

Reason for condition:-

To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by policies DC 1 & DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

4 Number of customers restriction

The beauty treatment business operated from the summer house shall have no more than 5 customers per day.

Reason for condition:-

In the interests of highway safety.

5 Business to operate solely from summer house

The beauty business hereby permitted shall operate solely from the approved summer house and not from any rooms within the host dwelling.

Reason for condition:-

To allow the Local Authority to retain control over the development.

6 Noise control

The development hereby permitted shall not generate a noise level greater than 3dBA above the existing background level measured at 1 metre from any facade of the proposed Summer House. Measurements to be taken using the methodology of BS4142: 2014.. All measurements to be taken with a sound level meter of IEC 651 Type 1, or BS EN 61672 Class 1, standard (or the equivalent relevant UK adopted standard in force at the time of the measurements) set to measure using a fast time weighted response. This should be calibrated in accordance with the procedure specified in BS 4142: 2014 (or the equivalent relevant UK adopted standard in force at the time of the measurements).

Reason for condition:-

In the interest of the amenities of nearby residents

7 Personal to applicant

The use hereby approved shall be carried out by Mrs Ana Lopes as the sole practitioner and by no other persons.

Reason for condition:-

In order that the Local Planning Authority may retain control over the future use of the premises.

8 No generators etc.

No generator, compressor, air handling or conditioning equipment or any associated flues,

ducts or vents shall be installed on the site without the prior written approval of the local Planning Authority Reason for condition:-

In the interest of the amenities of nearby residents

9 Delivery and collection restriction

No deliveries shall be made or materials, including waste arising from the proposed development, be collected from the site outside the following times 08:00 17:00 hours

Reason for condition:

In the interest of the amenities of nearby residents

10 Hours restriction and no weekend working

The use hereby approved shall operate only between the hours of 9am and 7pm from Monday to Friday, and at no time on Saturdays, Sundays and Bank Holidays.

Reason for condition:-

In the interests of the amenities of the occupants of the nearby dwellings.

11 Provision of parking and servicing - when shown on plan

Prior to the commencement of the use hereby permitted the proposed on-site car parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason for condition:-

To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

13 Variation of approved plans

Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.

You or your agent or any person responsible for implementing this permission should inform the Development Control Section immediately of any proposed variation from the approved plans and ask to be advised to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.