

2023/0703

Mrs Dominique Spriggs

The Old Vicarage, 41 Station Road, Bolton-Upon-Dearne, Barnsley, S63 8AA

Removal of condition 1 of application 2021/1460 (change of use of attached garage to dog grooming room) to remove temporary permission and allow permanent use. Also variation of condition 5 of application 2021/1460 to allow increase in hours of use

Site Description

The dwelling is a two-storey detached dwelling located in Bolton-on-Dearne. Station Road has a fairly consistent street scene mainly featuring residential properties with the scattered additions of other uses such as retail, commercial and drinking establishments. Station Road is also a classified road (C777) and subject to a 30mph speed limit at this locale. The dwelling has a large garden to the front with a driveway to the side. To the front of the dwelling is an attached garage that has been converted into a dog grooming room.

Planning History

B/88/0354/DE - Alteration and extension to vicarage

2021/1460 - Change of use of attached garage to dog grooming room (Approved with conditions for temporary period of 18 months)

Proposed Development

The applicant is seeking to remove condition 1 of application 2021/0460 to allow approval for the permanent change of use of an attached garage to a dog grooming room. The scheme is also seeking to amend the operating house to allow the dog grooming parlour to operate 6 days a week with 3 weekdays operating between 13:00 to 19:00, 2 weekdays operating between 09:30 to 16:00 and Saturdays operating between 09:30 to 15:30. The business will operate on a 1 to 1 appointment basis, with a maximum of two dogs per visit and maximum of three dogs groomed overall on any given day.

The change of use includes a garage conversion with the addition of a second window to the front elevation and the garage door being replaced with a standard door and windows to match the existing dwelling along with matching brickwork.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan Allocation – Urban Fabric

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

Policy D1: High quality design and place making – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

Policy Poll1: Pollution Control and Protection – States that development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

Policy TC1: Town Centres – Support will be given to maintaining and enhancing the vitality and viability of the following hierarchy of centres:

Type of Centre

Town: Barnsley Town Centre

District: Cudworth, Hoyland, Wombwell, Goldthorpe, Penistone, Royston

Local: Athersley, Bolton on Dearne (St Andrew's Square), Darfield, Darton, Dodworth, Grimethorpe, Hoyland Common, Lundwood, Mapplewell, Stairfoot, Thurnscoe (Houghton Road), Thurnscoe (Shepherd Lane)

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 134 states that “*development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design,*

taking into account any local design guidance and supplementary planning documents such as design guides and codes”.

Consultations

Dearne South Ward Councillors were consulted and provided no response.

Highways Development Control (DC) were consulted and raised no objections.

Highways Drainage were consulted and raised no objections.

Pollution Control were consulted and raised no objections subject to conditions.

Yorkshire Water were consulted and provided no response.

Representations

Neighbour notification letters were sent to surrounding properties and a site notice put up in the vicinity of the site, no comments were received.

Assessment

Principle of Development

The principle of a dog grooming salon has been established with the earlier planning approval 2021/1460 subject to the conditions set out in the decision notice. This application seeks to vary the time limit condition in order to allow the permanent change of use and a change in operating hours.

The site is allocated as Urban Fabric in the adopted Local Plan. As such, non-residential uses in residential areas are considered acceptable where the majority of floorspace remains residential, there is adequate parking provision and there is no unduly harmful impact on residential amenity of neighbouring and nearby residents.

Furthermore, the use also a use that would fit into the category of ‘town centre’ uses and therefore, in accordance with Policy TC1, an assessment needs to be made on the impact on local centres. In this case the local centre is Bolton-on-Dearne which has a small local centre at St Andrew’s square. Whilst no sequential assessment has been provided, given the small size and operation of the business proposed and the limited units within the local centre it is unlikely that it would fit within the local centre. The nature of the business is a small scale ‘family type’ business and, in itself its impact on the vitality and viability of the local centre is likely to be limited. As such the proposal is not considered to be contrary to Policy TC1.

In addition to the above, the development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or people.

Residential Amenity

The use is located on a predominantly residential street with the closest property being 39 Station Road. However, the business is only small scale, apart from the owner it is not envisaged that there will be any further employees. Given that the use is undertaken within the attached garage it is not considered that use would increase disturbance of the neighbouring properties due to the location of the use towards Station Road rather than towards neighbouring habitable areas. There have also

been no objections from neighbouring residents to the proposal which has already been in operation in line with the previous approval

Furthermore, given that Station Road is a classified road (C777) there are likely to be more vehicular movements than there would be on a non-classified residential street. Station Road also connects to the main road through Bolton-on-Deane being the B6098. Given the road type and the activity associated with such it lessens the impact of the noise associated with the use. Additionally, the host dwelling and the majority of neighbouring dwellings are detached therefore increasing the separation distances between dwellings and reducing the density.

The hours of operation have been proposed to be increased to 6 days a week with 3 weekdays operating between 13:00 to 19:00, 2 weekdays operating between 09:30 to 16:00 and Saturdays operating between 09:30 to 15:30. The majority of these are during what would be considered normal working hours when local residents are less likely to be at home. Pollution Control raised no objection to increase in operating hours.

Although there may be several customers per day, the volume of traffic visiting the business at any one time will be minimal and given the breaks between clients it is unlikely that there will be a crossover of clients therefore disturbance through traffic movement should be minimal. The use has been operating and no significant complaints have been recorded.

Visual Amenity

The attached garage is an established part of the dwelling set to the front of the property. The only visual changes are the replacement of the garage door and addition of a window to the front elevation. These changes are not deemed significantly detrimental to the visual amenities of Station Road and would not impact upon the character of the street scene.

Highway Safety

There will be no detrimental impact upon highway safety. The property does have a formalised crossing point in the form of a dropped kerb facility. Information has also been provided with regard to internal turning provision for customers when they're dropping off their dogs for grooming. The layout plan submitted shows that there is sufficient room for a customer's vehicle to turn within the site when the applicant's vehicle is already parked next to the house.

Based on the submitted information, the variation of condition 5 allowing an increase in the hours of use is required out of necessity to provide flexibility of working hours to accommodate customer requirements. The proposals would spread the appointments out over a greater number of working hours rather than intensify the use of the site. The access, parking and turning arrangements of the site are sufficient for the operation of the business and as such the proposed removal of condition 1 and variation of condition 5 of App. No. 2021/1460 are acceptable from a highway's perspective.

Recommendation

Approve with conditions