2023/0975

Mr R Sumner

Change of use of attached outbuildings to dog grooming salon with ancillary reception/office and creation of hardstanding to front of main residence for customer pick-up/drop off

Belmont, 25 Victoria Road, Barnsley, S70 2BB

Site Location and Description

Victoria Road is a busy classified road linking Gawber with Old Mill Lane, an arterial route within the town centre. Victoria Road is characterised by a mix of residential and commercial premises. The property subject to this application is a stone built Victorian Villa situated within a large plot which benefits from attached outbuildings to the rear and a detached garage and driveway to the side, with a large garden beyond.
Records suggest that the property, particularly the attached outbuildings to the rear was formerly a Doctors Surgery.
Whilst predominantly residential, the area is a mix of residential and commercial properties.

Proposed Development

The applicant seeks permission for the conversion of part of the existing detached garage to be used as a dog grooming business.

The change of use of part of the existing attached outbuilding to be used as a dog grooming business by the occupant of the property. The business will be open Monday to Saturday 08:00 to 18:00 and at no time on Sundays or Bank Holidays, on an appointment only basis with one full time employee, the applicant and owner of the property.

The applicant initially sought permission to change rooms with the outbuilding to include additional office space not associated with property or dog grooming business. with the space to be rented out separately. This was considered unacceptable due to parking and manoeuvring issues and was subsequently removed from the application.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise, and the National Planning Policy Framework (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 held 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

The site is allocated as Urban Fabric within the Adopted Local Plan, which has no specific land allocation and therefore the following policies are relevant:

Policy GD1 General Development
Policy Poll1 Pollution Control and Protection
Policy HE1 The Historic Environment
Policy T3 New Development and Sustainable Travel
Policy T4 New Development and Transport Safety
Policy D1 High Quality Design and Place Making
Policy SD1 Presumption in favour of Sustainable Development

National Planning Policy Framework 2023 (NPPF)

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.

At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where there are no relevant development plan policies, or the polices which are most important for determining the application are out of date, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

Supplementary Planning Documents (SPD):

Parking – sets out parking standards that will be applied to all new development.

Consultations

Conservation Officer – No objections
Drainage – Details to be checked by building control
Highways DC – No objections
Pollution Control – No objections
Yorkshire Water – No objections received
Ward Councillors – No comments received

Representations

Neighbour notification letters have been sent to surrounding properties and the application has been advertised by the way of a site notice; 3no representations have been received in relation to:

- On-street parking
- Signage
- Noise from dogs
- Opening hours
- Impact on overall character of Victoria Road

Assessment

Principle of development

The proposal lies within urban fabric (no specific allocation) on the Local Plan Proposals Map, where development may be considered acceptable where, there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents and where they are compatible with neighbouring land and will not prejudice the current or future use of land.

Residential Amenity

Policy GD1 states that proposals for development will be approved if amongst others; there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

The authority's aim is not to supress development but to ensure that the living conditions and residential amenity of people is protected. Section 6.9 of the Local Plan page 29 states that the authority will assess the impact on living conditions and residential amenity in relation to:

- Noise, smell, dust, vibration, light, air, surface water, ground water, or other pollution and disturbance from any proposed activity, including traffic related noise and the coming and goings of visitors to premises particularly when late evening activity is involved.

The effect on amenity afforded to neighbouring properties from businesses operating in residential areas has become more prominent and the Local Planning Authority has taken a stronger stance in assessing these types of commercial activity.

As mentioned previously the dwelling is located on the periphery of the town centre, along a busy road linking Gawber with Old Mill Lane, an arterial route within the town centre. Victoria Road is characterised by a mix of residential and commercial premises.

It is acknowledged that that the use of the driveway by customers is not dissimilar to the domestic use of the drive, however the development could still generate a greater number of vehicular movements and noise associated with manoeuvring and the opening and shutting of car doors throughout the day. Whilst this type of activity would be considered unacceptable within a quieter residential estate setting; in this instance, given that the premises are located on a busy road linking Gawber and the surrounding area, and on the periphery of the town centre, the increase in noise is not considered to impact the level of amenity expected by neighbouring residents in this setting.

The applicant runs a booking only system with no 'walk-ins' and allows sufficient time between bookings that clients do not overlap, the number of clients on daily basis would vary depending on the level of service required and the breed of dog involved, however it is anticipated that there would be a maximum of four clients a day.

Comments from neighbours have been made in relation to dogs barking and being left overnight and the premises used as kennelling. The applicant has indicated within the planning statement that bookings will not overlap, and the business will not offer overnight accommodation or outside kennelling and therefore it is not considered that there would be excessive noise from barking dogs, above what could occur from a domestic property.

Whilst the use of the business in its current form is considered acceptable, it is considered prudent to include a condition limiting the use of the premises to the applicant whilst they are the occupier of the property to which the outbuilding relates, which will further protect residential amenity should the applicant vacate the associated residential property.

It is in this regard that the application is considered acceptable and in compliance with Local Plan Policy GD1 and Poll1 and as such is acceptable.

<u>Highway Concerns</u>

Highways initially raised concerns in relation to development and the parking and manoeuvring of vehicles associated with the domestic property, visitors to the dog grooming salon and the parking of users associated with the additional office space. The applicant agreed to remove the additional office space, with only office space associated with the dog groom salon being retained.
The site layout plan demonstrates that the required four off-street parking spaces for the dog grooming salon can be achieved within the site and as such the proposed access, parking and turning arrangements are now considered to be sufficient for the operation of the dog grooming business.

In view of the above, Highways do not raise any objections subject to the inclusion of a condition requiring the parking area being surfaced in a solid bound material prior to the use commencing, it is also considered prudent to include a condition limiting the use of the premises to the applicant whilst they are the occupier of the premises.

In light of the above, the proposals are considered acceptable and in compliance with Local Plan Policy T4.

Visual Amenity

The site is located within the Victoria Road Conservation Area, which is characterised by stone built Victorian properties. Victoria Road is characterised by modest Victorian Villas enclosed to the front by low level stone boundary walls.
Whilst it is proposed to create a parking area to the front of the dwelling, the applicant has outlined within the Design, Access and Heritage Statement that there is no intention to widen the access or remove the existing low level boundary wall or gate posts, however it is considered prudent to include a condition preventing the removal of the boundary wall.
The attached outbuilding is located to the rear of the premises and is not visible from public vantage points, nevertheless, the outbuilding is existing and has been in situ since 1948 and as such the development is acceptable in terms of its impact on visual amenity and upon the character of the conservation area.

Other Issues

Signage is not part of this application and would be subject to a separate application.

Conclusion

Based on the assessment above, it is considered that the use of the existing detached outbuilding as a business consisting of dog grooming would not have a detrimental impact on the amenity of surrounding residents or upon highway safety and as such is acceptable and in compliance with Local Plan Policies GD1, Poll1 and T4.

Recommendation

Approve with Conditions