

# 19/01939/FUL

**Applicant** Miss Kay Tinkley

**Location** 52 Hill Drive Bingham Nottinghamshire NG13 8GA

**Proposal** Proposed change of use from garden room to dog grooming salon.

**Ward** Bingham West

## THE SITE AND SURROUNDINGS

1. 52 Hill Drive is a two storey end of terrace property on a corner plot within the Market Town of Bingham. The property lies within a larger area of properties, all of similar style and design. The house has a driveway for 3 or 4 cars to the site frontage, accessed from Hill Drive. To the side and rear of the house are the private gardens which contain a number of small outbuildings and a car port.
2. This application relates particularly to a small outbuilding within the private rear gardens of the property. The building in question is an existing structure finished in white with a flat roof. The outbuilding is built in proximity to boundaries with the 3 closest residential neighbours to the north, east and west.

## DETAILS OF THE PROPOSAL

3. This application seeks permission to use an existing garden outbuilding to the northern (rear) corner of the plot for a dog grooming business.
4. It is proposed that the building would be open for use between the hours of 0900 and 1600 Monday to Friday and 0900 until 1400 every other Saturday. The outbuilding is a small single room structure with a maximum size of 4.57m by 2.4m. The proposed use would involve only one dog being attended to on site in relation with the business at any one time.

## SITE HISTORY

5. The site has no relevant planning history.

## REPRESENTATIONS

### Ward Councillor(s)

6. One Ward Councillor (Cllr J Stockwood) declared an interest on the application under the panning code.

### Town/Parish Council

7. Bingham Town Council offered no comments on the application.

## **Statutory and Other Consultees**

8. Nottinghamshire County Council as Local Highways Authority have no objections.
9. The Borough Environmental Health Officer provided comment that they required further information from the applicant on the controls that will be put in place to prevent noise from the use e.g. customer appointments, equipment used, construction of building and measures that will be taken to prevent dog barking prior to making an assessment.

## **Local Residents and the General Public**

10. One public comment raising no objection to the scheme.

## **PLANNING POLICY**

11. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy 2014 and The Rushcliffe Local Plan Part 2: Land and Planning Policies 2019. The overarching policies in the National Planning Policy Framework (the NPPF) are also relevant, particularly where the Development Plan is silent. Additionally.

## **Relevant National Planning Policies and Guidance**

12. The National Planning Policy Framework 2019 (NPPF) includes a presumption in favour of sustainable development.
13. There are three overarching objectives to sustainable development: economic, social and environmental.
  - Economic objective – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
  - Social objective – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
  - Environmental objective – contributing to protecting and enhancing our natural, built and historic environment, and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
14. Section 6 - 'Building a Strong and Competitive Economy' states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken

should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

### **Relevant Local Planning Policies and Guidance**

15. The Rushcliffe Local Plan Part 1: Core Strategy sets out the overarching spatial vision for the development of the Borough to 2028. The following policies in the Rushcliffe Local Plan Part 1: Core Strategy are relevant:
  - Policy 1: Presumption in Favour of Sustainable Development
  - Policy 10: Design and Enhancing Local Identity
16. Policy 10 (Design and Enhancing Local Identity) states that all new development should be designed to make; a positive contribution to the public realm and sense of place; create an attractive, safe, inclusive and healthy environment; and reinforce valued local characteristics; reflect the need to reduce the dominance of motor vehicles.
17. The Rushcliffe Local Plan Part 2: Land and Planning Policies was adopted in October 2019 and sets out non-strategic allocations and detailed policies for managing development. The following policy in the Rushcliffe Local Plan Part 2 is particularly pertinent:
  - Policy 1: development Requirements
18. Policy 1 sets out that planning permission for new development will be supported provided that where relevant, a list of criteria are met. This list includes aspects such as suitable access being provided, sufficient amenity spaces for end users, the relationship with nearby uses in terms of the amenity of future occupants and aspects such as ensuring no significant impact on wildlife, landscape character etc.

### **APPRAISAL**

19. In considering the proposal, the main considerations relate to the impact of the use on the amenity of neighbours. Highway safety, in the form of traffic generation and parking provision, is also a material consideration.
20. With regard to amenity, the comments of the Borough EHO are duly noted. However, the proposal involves the use of an existing timber outbuilding, with the use proposed for limited daytime hours, with only one appointment at a time. The size of the outbuilding would be self-regulating in this regard and would not allow for more than one person and one dog to work inside the unit. As such there are no concerns the business could be any more intensive than as described.
21. The additional information requested by the EHO would seem unreasonable and unnecessary in respect of the use as proposed, and subject to conditions limiting the use to just within the outbuilding, and limits on hours and number of dogs being groomed as discussed, the scheme would be considered an appropriate small scale and low volume use for the area. The travel of customers to and from the building would be low scale and would not raise concerns in relation to highway safety and parking. Given the above it is

considered that the use could operate without any detriment to the residential amenity of surrounding occupiers.

22. With regard to highways and parking the existing site has a large gravel drive with dropped kerb access and room for 3 or 4 cars. This would seem appropriate to cater for the scale of use proposed and in the absence of any objection from the highways authority, it is concluded that the proposal would not raise any parking and highway safety issues.
23. Given the consideration of matters as set out above, it is considered that the proposed development would accord with the relevant policies of the adopted development plan, with the small scale scheme supporting small local business, supporting a more sustainable work from home lifestyle and not representing a scale of operation likely to cause any detriment to the amenities of surrounding residents of the wider area. With this to mind it is recommended that permission be granted.
24. No negotiations were necessary during the consideration of the application and it is considered the proposal is acceptable and can be recommended for approval.

## **RECOMMENDATION**

It is **RECOMMENDED** that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The dog grooming business hereby permitted shall only take place only within the outbuilding the subject of this application, and not within the dwelling or external areas of the site save for access and egress.

[To protect the amenities of neighbouring residential properties and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

3. The use hereby permitted shall only take place between the following approved hours:

Monday – Friday: 0900 – 1600;  
Saturdays: 0900 – 1400;  
Sundays: No operations at any time.

[To protect the amenities of neighbouring residential properties and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].

4. Only one dog shall be attended to, or held on site in association with the business, at any one time.

[To protect the amenities of neighbouring residential properties and to comply with policy 1 (Development Requirements) of the Rushcliffe Local Plan Part 2: Land and Planning Policies].