



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/21/2419/OF1
2.	<b>Proposed Development:</b>	CHANGE OF USE OF A UTILITY ROOM IN EXISTING DETACHED GARAGE INTO A DOG GROOMING STUDIO
3.	<b>Location:</b>	2 SOLWAY RISE, ST BEES
4.	<b>Parish:</b>	St. Bees
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: YES  Site Notice: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>Site and Location</b>  <p>This application relates to 2 Solway Rise, a semi-detached property located on an existing housing estate within the village of St Bees.</p> <p>The site falls within the settlement boundary and benefits from an existing detached garage which is housed within the side garden and also off-street parking for two vehicles.</p> <p>The site is bound by residential properties to the side and a caravan site to the rear.</p> <b>Proposal</b>  <p>Planning permission is sought for the change of use of a utility room within the existing detached garage to form a dog grooming studio. The existing structure is located within the side garden and it will incorporate the following dog grooming equipment:</p>	

- Blast dryer and domestic hair dryer;
- Pulse Andis Zr Clippers;
- Grooming table;
- Nail clippers and scissors.

The application was accompanied by the following:

- Location Plan;
- Block Plan;
- Site Plan;
- Internal Floor Plan;
- Supporting Statement;
- Further Supporting Information.

### **Relevant Planning Application History**

Planning Permission has previously been granted for a conservatory (ref: 4/04/2477/0).

### **Consultation Responses**

#### St Bees Parish Council

No objections.

#### Cumbria County Council Highway Authority

No objections.

#### Lead Local Flood Authority

No objections.

#### Environmental Health Officer

Support the application.

The proposed existing structure in which grooming will take place, is an internal room with reasonable insulation against noise breakout from barking dogs.

No objection to the proposed hours of operation and consider that the risk of noise disturbance to other residents to be low.

Any such problems may be dealt with through the statutory noise nuisance provisions.

I would recommend that the applicant join the Pet Industry Federation and sign up to its Code of

Conduct for Pet Groomers.

Public Representation

The application has been advertised by way of site notice and neighbour notification letters issued to 4 no. properties.

No objections have been received as a result of this consultation.

**Planning Policies**

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

**Development Plan**

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER6 – Location of Employment

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

**Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

## **Assessment**

The key issues raised by this proposal are the principle of development, its scale and design, the potential impacts on residential amenity, highway conditions and parking.

### Principle of Development

The proposed dog grooming studio is to be operated from a utility room within an existing detached garage associated with an existing residential property in St Bees village.

The supporting statement includes justification and need for the business, as there are no dog grooming services within the village and people have to travel long distances for this services. There is also a lack of availability due to increased dog ownership and no increase in dog grooming services. St Bees is designated under Policy ST2 as a Local Service Centre and the proposal is therefore considered to provide a suitably located, sustainable business to meet the needs of the local community.

Policy ER6 also supports proposals for home working and conversion of space to employment use subject to detailed criteria, which are considered below.

On this basis, the principle of the development is therefore considered to be acceptable and the use satisfies Policies ST2, ER6, DM18 and the NPPF guidance.

### Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 and DM18 seek to ensure domestic alterations are of an appropriate scale and design which is appropriate to their surroundings and do not adversely affect the amenities of adjacent dwellings.

The proposal includes modest changes to the utility room within the existing garage to provide a suitable space for the dog grooming studio. There are no external alterations proposed and therefore the proposal is considered to be appropriate in scale and design to meet the needs of the business.

The scale of business has been considered as the operating days are planned to increase as the business develops. The initial plan is to operate the salon between one and two full days between Monday to Friday 08:30 to 16:30 with additional client slots at the weekend between 11:00 and 15:00 if needed. Once the business develops, it is proposed that the salon would operate from Monday to Friday between 08.30 to 16:30 and on Saturday and Sunday from 11:00 to 15:00, although it is only planned to operate on a total 5 days per week only. The Environmental Health Officer confirmed the hours are reasonable and the use of a planning condition will protect neighbouring amenity.

On this basis, the proposal is considered to be an acceptable scale to meet Policies DM10 and DM18.

### Residential Amenity

Policy ST1, Policy DM18 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

The main consideration with respect to the change of use proposal is the potential increase in noise and disturbance due to dogs barking and the dog grooming equipment, which includes a blast dryer, a domestic hair dryer and 'Pulse Andis Zr' clippers. The application proposes a no barking policy and although it is not something the Planning Department can control, the applicant has considered the impact of their business on the amenity of the surrounding neighbours as part of the Supporting Statement. The business will be operated in accordance with the details set out in this document.

Environmental Health were consulted on the application to assess the potential amenity issues for the surrounding properties. The proposal relates to an internal room within a solid breeze block garage with a UPVC access door and no windows, which will reduce noise breakout from barking dogs. In addition, due to the siting of the studio away from the neighbouring houses, it is considered that the risk of noise disturbance to other residents will be low and any such problems may be dealt with through the statutory noise nuisance provisions. Consideration to noise management has been taken into account and noise prevention measures have been submitted as part of the Supporting Statement. The reduced opening hours at weekends can be secured through the use of a planning condition.

In addition, as the application relates to an existing single storey garage, the proposal will not result in any materially harmful impacts in terms of overshadowing or privacy for the neighbouring properties and it would not be overbearing. The existing boundary fence will also reduce any disturbances associated with the business. No neighbours have raised concerns regarding the proposal as a result of the consultation process.

Subject to the imposition of planning conditions, the level of potential disturbance is not considered to result in a material level of harm.

On balance, the development will not have an unacceptable adverse impact on residential amenity, through noise, disturbance or a loss of privacy and the proposal is considered to comply with Policy DM18 and the NPPF guidance.

#### Highway Conditions and Parking

Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking to avoid vehicles dominating the street scene.

As the development proposes there will only be one member of staff and there shall be only one customer at any given time, the Highway Authority raised no objection to the proposed development as it is considered that the proposal will not have a material effect on existing highway conditions. The site visit also confirmed the site can provide adequate off-street parking to meet the business needs without detriment to the surrounding local residents.

The applicant has also confirmed a walking pick up and drop off service will be offered as part of the grooming service. This will provide an environmentally friendly travel provision and reduce traffic. This is therefore considered to be an acceptable service, ensuring the development is accessible to all and it will reduce negative impacts on the surrounding neighbours and local traffic.

On this basis, the proposal is therefore considered to satisfy Policy DM22 and the guidance set out in

	<p>the Cumbria Development Design Guide.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The application seeks to change of use of a utility room within a domestic garage to a dog grooming studio. The main issue raised by the application is the potential impact on residential amenity as it will be located within the residential garden of 2 Solway Rise. It is considered that the proposed business will be of an appropriate scale and planning conditions can be used to control the use and mitigate any potential impacts of the development. Appropriate measures have been included to prevent residential amenity issues and any issues relating to highway safety and parking will be minimal.</p> <p>On balance, whilst some potential harm in terms of noise is identified, it is not considered to significantly and demonstrably outweigh the identified benefits of the development. The proposal therefore represents an acceptable form of development and it accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p> <p>Due to the residential nature of the site, the use is not considered suitable as a permanent form of development and therefore a temporary permission for three years is considered to be reasonable to monitor the impact of the site.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li> <p>The use hereby permitted shall be for a limited period of three years from the date of this decision. At the end of this period the use shall cease, all materials and equipment brought onto the land in connection with the use shall be removed from the site on or before this date and the land restored to its former condition.</p> <p>Reason</p> <p>The use hereby approved is not considered suitable as a permanent form of development in order to safeguard the amenities of the locality.</p> </li> <li> <p>This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -</p> <p>Location Plan, scale 1:1250, received 20<sup>th</sup> September 2021;  Block Plan, scale 1:200, received 20<sup>th</sup> September 2021;  Site Plan, reference Floor Plan One, received 10<sup>th</sup> October 2021;  Internal Floor Plan, reference Floor Plan Two, received 10<sup>th</sup> October 2021;  Supporting Statement, received 20<sup>th</sup> September 2021;  Further Supporting Information, received 10<sup>th</sup> October 2021.</p> </li> </ol>

**Reason**

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. The hours of opening shall be restricted to Mondays to Fridays 08:30 to 16:30 and Saturday to Sunday 11:00 to 15:00.

**Reason**

In the interest of neighbouring amenity.

4. The use hereby permitted shall be carried out in accordance with the details set out in the Supporting Statement, received by the Local Planning Authority on 20<sup>th</sup> September 2021. The noise management measures must be carried out and maintained thereafter.

**Reason**

In the interest of protecting neighbouring amenity.

5. No more than one dog shall be present on the site for the purpose of the permitted use at any one time.

**Reason**

In the interest of protecting neighbouring amenity.

**Informative Notes**

1. It is recommended that the applicant join the Pet Industry Federation and sign up to its Code of Conduct for Pet Groomers.

2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

**Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may

	have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.	
<b>Case Officer: C. Unsworth</b>		<b>Date : 12/11/2021</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 15/11/2021</b>
<b>Dedicated responses to:- N/A</b>		