

Reference: 06/15/0182/F

Parish: Winterton
Officer: Gemma Manthorpe
Expiry Date: 20/05/15

Applicant: Ms J Morgan

Proposal: Change of use of domestic garage to a dog grooming parlour and associated works.

Site: 52 Bulmer Lane Winterton

REPORT

1. Background/History:-

1.1 The application site is a domestic dwelling with attached garage located to the western side of Bulmer Lane, opposite an access off Bulmer lane which leads to 4 no. detached dwellings. The site is adjoining, to the southern boundary 54 Bulmer Lane, to the northern boundary there is a private drive leading to three residential properties one of which adjoins the western boundary.

1.2 The site has not been subject to any recent applications and as such there is no planning history.

2 Consultations:-

2.1 Parish Council – The Parish Council have not objected to the application.

2.2 Neighbours – There have been 34 objections to the application, examples are attached to this report and they are summarised below.

- Business use is not appropriate in a residential area.
- If commercial use is granted it could become a different business, shop, taxi office or takeaway.
- The use is out of character for the area and should be located at a commercial unit.
- Traffic generation will be problematic.
- The proximity to the bus stop and the increased traffic will be dangerous to highway users.
- Precedent could be set for other applications.
- Shop frontage is out of character for the area.
- Noise generated by dogs in a residential location will cause disturbance.
- Physical works are almost complete prior to planning permission being granted.
- Vacant shops should be utilised.
- The suggestion that children will visit the parlour does not take children's safety into account.
- Problems with access.
- The works overhang a boundary – gutter.

- Additional cars will obstruct the visibility from the adjacent drive.
- Opening hours are likely to be into the evening causing a disturbance to nearby residents.
- A business will display advertisements.
- Traffic generated will obstruct private driveways.

2.3 Highways – There is no objection to the application, condition requested to ensure that the parking area is laid out prior to the commencement of the development and a condition requiring the use to be based on an appointment only system.

2.4 Environmental Health – Full comments are attached; the Environmental Health Officer has recommended conditions, no dogs being kept overnight at the premises and a temporary approval to assess the effect of the business which can be attached to a grant of planning permission.

3 Local Planning Policy:-

3.1 POLICY EMP18

PROPOSALS FOR SMALL SCALE BUSINESSES WITHIN EXISTING SETTLEMENTS WILL BE PERMITTED PROVIDED THE APPLICANT CAN DEMONSTRATE THAT:

(A) THE PROPOSED USE WOULD BE COMPATIBLE WITH AND NOT SIGNIFICANTLY DETRIMENTAL TO ADJOINING AND/OR SURROUNDING LAND USES, OR RESULT IN ADVERSE AFFECTS TO OCCUPIERS OF NEIGHBOURING PREMISES; AND,

(B) ADEQUATE ACCESS, PARKING AND SERVICE ARRANGEMENTS CAN BE PROVIDED;

(Objective: To encourage appropriate small scale businesses within settlements.)

3.2 POLICY EMP17

THE CONVERSION OR ADAPTATION OF EXISTING BUILDINGS FOR EMPLOYMENT-RELATED ACTIVITIES WILL BE PERMITTED WHERE:

(a) THE EXISTING BUILDING IS OF A FORM, BULK AND GENERAL DESIGN WHICH IS CAPABLE OF ADAPTION OR CONVERSION WITHOUT SIGNIFICANTLY CHANGING ITS CHARACTER OR SETTING;

(b) ADEQUATE ACCESS, PARKING AND SERVICE ARRANGEMENTS CAN BE PROVIDED;

(c) THE LOCAL ROAD NETWORK CAN ACCOMMODATE THE TRAFFIC WHICH WOULD BE GENERATED;

(d) IT CAN BE DEMONSTRATED THAT THERE WOULD BE NO MATERIAL ADVERSE EFFECT ON THE AMENITIES OF NEARBY PROPERTIES OR THE USERS OF ADJOINING LAND; AND

(e) THERE WOULD BE NO SIGNIFICANT LANDSCAPE OR OTHER ENVIRONMENTAL EFFECTS.

(Objective: To provide employment generating possibilities in the rural area.)

3.3 Policy EMP19

WHERE PLANNING PERMISSION IS REQUIRED TO FACILITATE WORKING FROM HOME, PERMISSION WILL BE GRANTED PROVIDED THE APPLICANT CAN DEMONSTRATE THAT THE PROPOSED USE WOULD BE COMPATIBLE WITH, AND NOT DETRIMENTAL TO ADJOINING AND/OR SURROUNDING LAND-USES, OR WOULD NOT SIGNIFICANTLY ADVERSELY AFFECT OCCUPIERS OF NEIGHBOURING PREMISES.

(Objective: To ensure that there is no conflict between the proposed use and the amenity of neighbours or to the detriment of adjoining land users or occupiers).

3.4 Policy HOU18

EXTENSIONS AND ALTERATIONS TO DWELLINGS WILL BE PERMITTED WHERE THE PROPOSAL IS:

- (i) IN KEEPING WITH THE DESIGN OF THE EXISTING DWELLING AND THE CHARACTER OF THE AREA;
- (ii) WOULD NOT SIGNIFICANTLY AFFECT THE AMENITIES OF ANY NEIGHBOURING DWELLING; AND,
- (iii) WOULD NOT RESULT IN OVER-DEVELOPMENT OF THE SITE.

4 National Policy: National Planning Policy Framework (NPPF)

- 4.1 The core planning principles set out in the NPPF (Para 17) encourage local planning authorities to always seek to secure high quality design and a good standard of amenity for all existing and future occupants.
- 4.2 At paragraph 21 of the NPPF Local Authorities are instructed to, when drawing up Local Plans...facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.
- 5. Emerging Policies: Core Strategy Publication (Regulation 19) (September/November 2013):
 - 5.1 The NPPF states that decision-takers may also give weight to relevant policies in emerging plans according to:
 - 5.2 The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
The degree of consistency with the NPPF.
 - 5.3 The Core Strategy is currently at the Examination Stage and has undergone several rounds of public consultation; as such it is a material consideration. All of the Emerging Policies listed have received few objections and unresolved objections are not considered to be likely to have a significant bearing on the strategy of plan. These policies therefore should be accorded significant weight as a material consideration in decision making.

- 5.4 Policy CS6 of the Core strategy reads as follows at h) Encouraging the development of small scale business units including those that support the rural economy and rural diversification.

6 Assessment:-

- 6.1 The proposal to change the use of the domestic garage attached to 52 Bulmer Lane to a dog grooming parlour and to carry out associated works. The physical works are substantially complete and therefore reflected within the site photographs. The flat roof of the garage has been raised by 300mm and the garage door has been removed and French doors inserted to the eastern (front) elevation.
- 6.2 The objections received are against both the physical works and the use of the premises. The physical works, while altering the external appearance of the building are not deemed so commercial in appearance that they alter the character of the area. The insertion of French doors to the frontage of a building would be acceptable as domestic works and would comply with policy HOU18 of the Borough Wide Local Plan. Therefore, looking at the raising of the roof height and the insertion of the doors separately would be appropriate. The physical alterations looked at in conjunction with the use as per the application may be seen, with reference the French doors, to give a commercial frontage to the building which is out of character with the area. However any overtly commercial form that may be taken from the development is mitigated by the distance that the property is set back from the road and the lack of any signage or other commercial works. As such the doors and raised roof height are deemed to be in character with the existing dwelling house and the residential character of the area.
- 6.3 Objections have been raised stating that should the current occupiers vacate the property the garage would have a commercial use which could be used by another party as a shop, taxi office or take away. It is common with applications to work from home for conditions to be placed upon any grant of planning permission restricting any change of use in the future or restricting the use of the premises to an individual as opposed to allowing the use to remain with the land. This use could be adequately conditioned to only be carried out by the applicant and to be limited to dog grooming only (with ancillary sales potential) which should be sufficient to alleviate these concerns.
- 6.4 There have been objections to the application on the grounds of highway safety and the detrimental effect that the use at this location will have on the access to the side of the site which leads to three dwellings, the access opposite the application site and the proximity to the bus stop located on Bulmer Lane. The application shows the provision of four parking spaces. The Highways Officer is satisfied that this provision is adequate and can be condition to be maintained and therefore there is no objection from the Highways Authority to the application subject to a condition requiring the provision and maintenance of the parking spaces. The Highways Officer also recommends restricting the use to appointment only and making the permission personal to the applicant.
- 6.6 In addition to the conditions limiting the use to the applicant and removing permitted development rights, in line with the comments received from Environmental Health a condition could be placed upon a grant of planning permission limiting the use to one year. By limiting the use of the premises to one year before a planning application is

to be submitted the effect that the business has on the amenities and character of the area can be assessed.

- 6.5 The current Borough Wide Local Plan at policy EMP19 states that the working from home may be permissible where there is no adverse effect on the character any amenities of the area and neighbouring properties. There are no opening hours shown on the application form however hours of operation can be conditioned to mitigate against any adverse effect on the neighbouring dwellings. The applicant has stated that there will be up to three appointments per day and that a pick-up service will be offered. The number of appointments per day can be limited by condition with the requirements that appointments are pre booked, in accordance with Highways recommendations, and recorded for viewing by the Local Planning Authority should a further application be submitted. A condition can also be placed upon a grant of permission restricting the days of work.
- 6.6 The use of the premises, controlled by condition, should not have an adverse effect on the character and amenities of the area. The Borough Wide Local Plan, and Core strategy which are detailed above support rural diversification and working from home where there is no significant adverse effect on the nearby residences and character. The application, for a limited time in order to assess any effects that are had on the area, is in accordance with these policies.

7 Recommendation:-

- 7.1 The recommendation is to approve the application for a limited time of one year subject to conditions that are recommended by consulted parties and the removal of any permitted development rights. It is also recommended, following the comments received from the Environmental Health Officer, to limit the use to one singular business therefore prohibiting dog breeding.

52 Bulmer Lane



UPRN:



GREAT YARMOUTH
BOROUGH COUNCIL
Planning and Business Services
Enforcement

Town Hall, Hall Plain, Great Yarmouth NR30 2QF
01493 856100 enquires@great-yarmouth.gov.uk



Date: 15:06:15

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MEMORANDUM

From Environmental Health

To: Head of Planning and Development,
Attention: Gemma Manthorpe

Date: 07/05/2015

Your ref: 06/15/0182/F

Our ref:

Extension: 846617

Please ask for: Justin Hanson

DEVELOPMENT AT- 52 Bulmer Lane, Winterton

Environmental Health has considered the proposed development. The potential impact on amenity will depend on how well the development is managed. I have met with the applicant and it is proposed 3 appointments a day and no dogs to be kept overnight. The actual structure of the converted garage is quite solid and if doors are not left open during the day and dogs not kept overnight then there should be no adverse impact on amenity. As proper management is a key factor I would recommend that any permission is granted on a temporary basis for a period of 12 months.

I would also take this opportunity to inform the applicant of the following:

Trade Waste

Any waste generated by the business such as plastics, hair, discarded utensils must be disposed of as trade waste and not through the domestic bins which is only for household waste.

Dog Breeding Licence

It is a legal requirement that that a premises that breeds dogs for sale has a licence. Environmental Health considers that a person is presumed to be carrying out the business of breeding dogs for sale where, they breed and sell more than two litters in a 12 month period, or during any 12 month period, five or more litters are born to his/her bitches which are:

(a) kept by him at any premises during any period of 12 months;

(b) kept by any relative of his at those premises;

(c) kept by him elsewhere; and

(d) kept by any person under a breeding arrangement with him.

This presumptive test will not apply if a breeder is able to prove that none of the puppies born to bitches at their premises or under a breeding arrangement was in fact sold during the 12 month period

The applicant informed me that two litters were born in the last 12 months and does not propose to carry on if permission is granted for the business

Justin Hanson
Environmental Health Officer
Great Yarmouth Borough Council

Gemma Manthorpe
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

Your Ref: 06/15/0182/F
Date: 7 May 2015

My Ref: 9/6/15/0182
Tel No.: 01603 638070
Email: stuart.french@norfolk.gov.uk

Dear Gemma

Winterton on Sea: Change of use of domestic garage to a dog grooming parlour and associated works
52 Bulmer Lane Wykeham Winterton GREAT YARMOUTH NR29 4AF

Thank you for your recent consultation with respect to the above.

As stated in the Design and Access Statement the applicant has sought pre-application advice from the highway Authority which has been duly considered and taken account of in the application as submitted.

Therefore, in highway terms only I have no objection to the proposals but would recommend the following condition be appended to any grant of permission your Authority is minded to make.

SHC 24 Prior to the commencement of the use hereby permitted the proposed access, on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

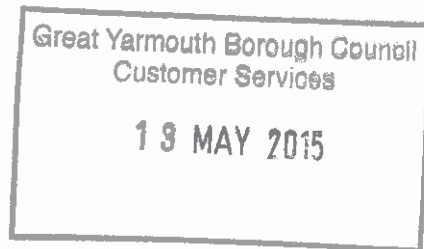
Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

I would also suggest that if your Authority is minded to grant planning permission, that it considers attaching conditions in relation to an appointment only system (as referred to) and that the permission is personal to the applicant.

Yours sincerely

Stuart French

Highways Development Management & Licensing Officer
for Executive Director for Community and Environmental Services



ACK'D
13/5/15

Mr & Mrs Parsons,
Fifteen,
Bulmer Lane,
Winterton on Sea,
Norfolk,
NR29 4AF

9th May, 2015

Planning Department
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
NR30 2QF



Dear Miss Manthorpe,

Reference Planning Application 06/15/0182/F

According to my dictionary a shop is "a building or room in which goods are sold, or where any kind of industry is pursued, a place of employment or activity" so although the application is for a dog grooming parlour it will in fact be a shop and it will be referred to as such throughout this objection letter.

My objection is based on the following points.

- There are 15 properties for sale in Winterton listed on Rightmove. Ten of these are described as being in "much sought after coastal village" or "popular and sought after coastal village". Will these descriptions still apply with advertising hoardings and business signs put up on front lawns?
- There are three vacant shops and car park in Hemsby less than a mile away. Surely it is better to utilize existing resources.
- Allowing this application will set a precedent for future applications. It will let the genie out of the bottle. If the shop owners decide to move in the future what will happen to the shop? Will the new owners turn it into a fast food takeaway? Taxi office? We will not be able to stop it.
- The noise created by multiple dogs being assembled in a residential location will be both disturbing and unsettling.

Initially the business will probably be run on a collection and delivery basis but there will inevitably be customers' vehicles delivering and picking up. There are problems with access.

- Bulmer Lane is a reasonably narrow road and bus route. Also the school bus, a 50 seater coach, stops to let children off less than 50 metres away. The bus stop is not much further. Customers are unlikely to reverse park onto the shop's drive so when leaving will be reversing on to a main road contrary to section 201 of the Highway Code. Alternatively vehicles travelling north will park on the road to "pop" in the shop thereby causing an obstruction and blocking the view of vehicles entering or leaving the access drive to house numbers 46,48&50.
- Our property, marked 'A' on the enclosed map is on a private road that we and the other residents on the road contribute to the maintenance of. The entrance to this road was obstructed on several occasions when the building work on the planning application was being carried out. These incidents will increase with customer's cars being parked and turning round on the road.

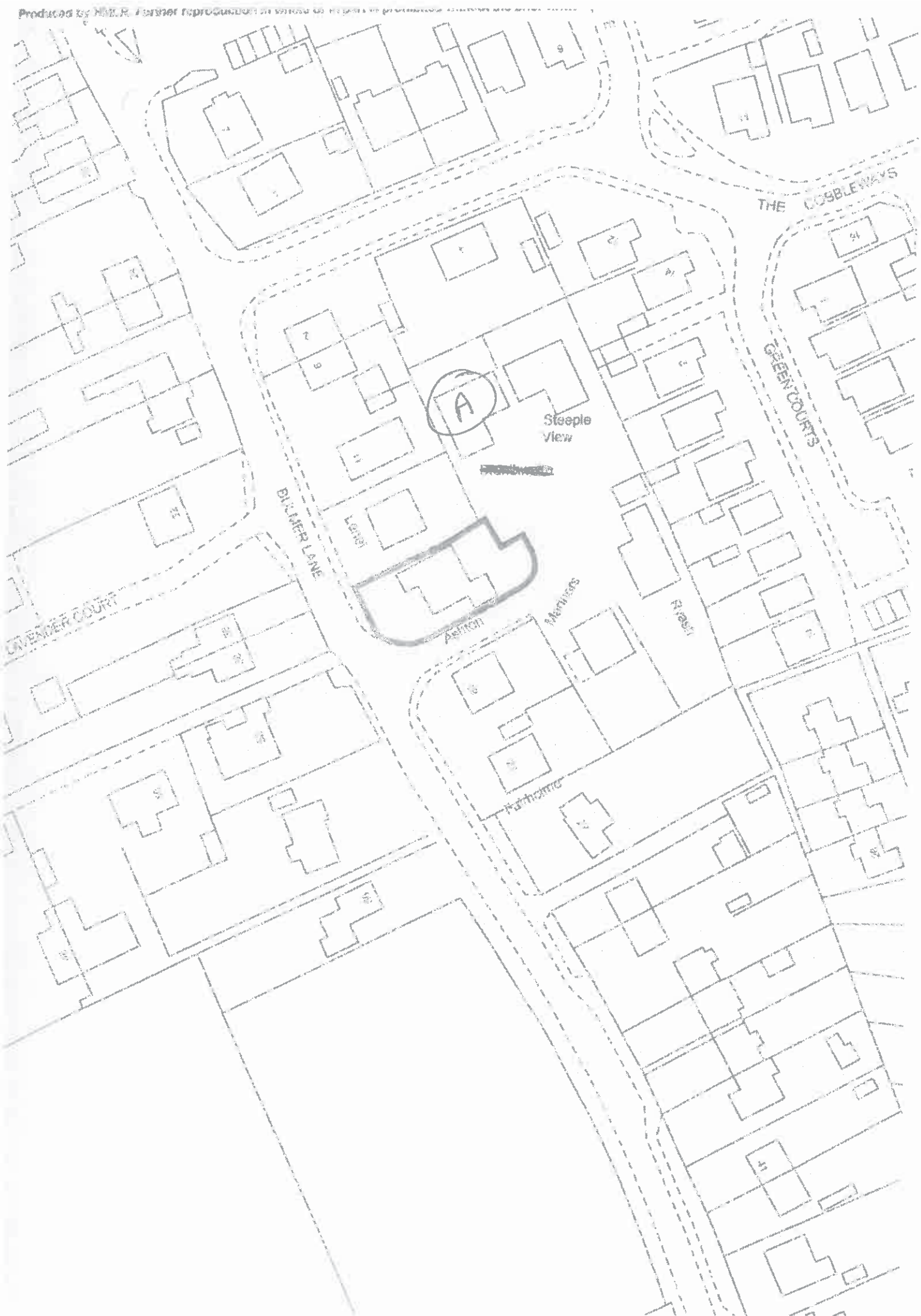
Yours sincerely,

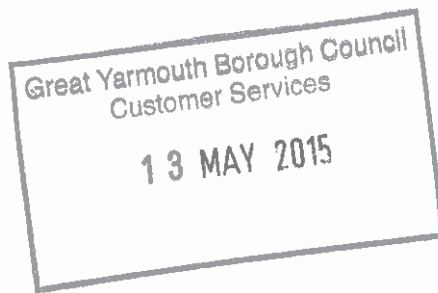


Mr R. Parsons



Mrs P Parsons





ACK'D
131515 GREENTILES
BUSH ROAD

Winterton-on-Sea

1229 459

Planning Services
Development Control
Town Hall Plain
Great Yarmouth
Norfolk
NR30 2QF



Dear Sir / Madam

Reference Planning Application 06/15/0182/F

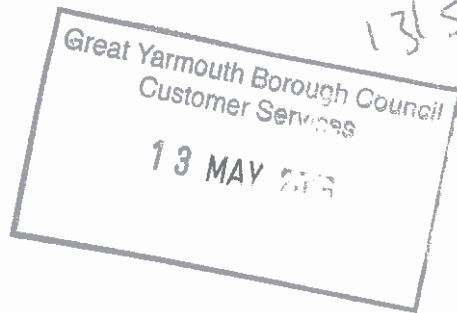
With respect to the above planning proposal in connection to 52 Bulmer Lane, Winterton-on-Sea, we wish to post the following points and object to this proposal.

This application is for a change of use for a domestic garage into a commercial outlet 'a shop' in what is a long established residential area, I like all the residence in Winterton-on-Sea purchased my property to live in a village, a residential area. This if successful will set a president for other applications and hence irreversible change to the village culture which we choose to live in.

The traffic generated will create a problem, with cars reversing in and out of the property this will affect both sides of Bulmer Lane. Bulmer Lane is on a bus route with a bus stop located within a few yards of the proposed commercial unit and this will generate a danger to all users both on foot and in vehicles with the risk to people's safety and a potential for a accident, the consequences of at this point being unknown. The suggestion that school children visits would benefit from this premises from an educational view shows a complete lack of awareness for the safety for the children of the village, no footpath exists on this side of Bulmer Lane. This is a fast busy road.

This application is not approved, the work is almost complete, the Planning Approval Process has been ignored, Commercial units are available in close proximately, 'Hemsby' these would facilitate a business of this nature. It will aesthetically alter the village. No such premises are in existence in Winterton-on-Sea.

Yours Sincerely



J. SEBBORN
5, DUNE
COURT
BULMER
LANE
NR294DB
10th May 2015

Planning Department
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
NR30 2QF



Dear Sir,

Planning Application 06/15/0182F

Being a resident of Winterton on Sea I would like to object to the above planning application. Bulmer Lane is a bus route and the school bus stops just yards away from the proposed shop.

There will be problems with obstruction and the entrances to three private drives are within 30 yards. Increasing numbers of dogs will create a noise nuisance.

Should the current owner move from this address at anytime in the future the commercial premises approval will not limit it to a dog grooming parlour, this could in the future be any kind of shop.

Winterton on Sea is a lovely sought after residential village surely there cannot be a place for a commercial property especially when there are vacant shops nearby in Hemsby.

Yours sincerely,