Development Management - Delegated Officer Report

Application Number: AWDM/0603/19 Recommendation – Approve

Site: 95 Grinstead Lane, Lancing

Proposal: Outbuilding in rear garden for commercial business use (hairdressing, microblading and cosmetic aesthetics) (retrospective).

Date of site visit: 18 July 2019

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

Permission is sought to retain an outbuilding that has been constructed in the rear garden of 95 Grinstead Lane for commercial use.

The building measures 7.5m by 7.5m and 3m high. It has decking at the front and is raised 330mm above ground level, being constructed on 'screw piles.'

The building is clad in blue plastic timber-effect cladding and with a membrane flat roof. It contains, as amended, two treatment rooms, a store room, WC and reception. Three treatment rooms were originally shown but this has been reduced following concerns at the level of activity that may arise.

The building is to be used for beauty and cosmetic treatments, such as hairdressing, microblading and other aesthetic improvements. Hours of use are indicated as being 9am-6pm Monday to Friday and 9am -12pm on Saturdays, with no working on Sundays.

Car parking is provided at the front of the property, with up to 4 spaces shown.

Supporting information submitted with the application states that there will be two members of staff, one of which is resident in the dwelling. It is suggested that staff, including the resident of 95 Grinstead Lane, will park in Mash Barn Lane, leaving four spaces for customers. As only two customers can be treated at any one time, this allows for an overlap between customers leaving late/arriving early.

The applicant refers to a similar commercial building at 117 Grinstead Lane which was approved under reference AWDM/1400/16 and was, until recently, in use as a pregnancy scanning clinic, with two consultancy rooms and a waiting area, in a smaller garden than that at the current site. While that use has now ceased, the decision itself can be considered as a precedent, in that it allowed a low key use to be sited in a back garden, similar to that now proposed here.

Relevant Planning History

None

Consultations

West Sussex County Council: The **Highways Authority** has no objection. The applicant has indicated that a maximum of three clients will be treated at any one time. One on-site parking space will be provided for one staff member and three additional for client parking. Additional staff parking will be accommodated on street, on Mash Barn Lane. Appointments will be managed to avoid parking clashes and on busy days, both staff members will utilise existing on street parking to enable all four parking spaces to be utilised by clients. Clients will be encouraged to arrive via sustainable methods, including bus, due to the proximity of the site to the nearest bus stop. The LHA would not consider that highway safety would be detrimentally affected through the proposed car parking arrangement. The Planning Authority may wish to consider the potential impacts of this development on on-street car parking from an amenity point of view.

As discussed previously, there will be no alterations to the existing access and visibility appears sufficient at the access. There is no evidence to suggest that the existing access is operating unsafely or that this proposal would exacerbate an existing safety concern. The proposal is not anticipated to result in a material intensification of use of the access.

Conclusion
The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

Adur and Worthing Councils: The **Engineer** has no objection. Water goes to soakaway and can if necessary flow under the building - therefore it doesn't decrease storage capacity in the area.

The **Environmental Health Officer** has no objection subject to conditions controlling external plant, lighting and music.

Advises that the Food and Health and Safety Officer has no adverse comments to make regarding this application. She advised that they will need to be registered if they want to do any skin piercing activities, but the applicant was in contact in November 2018 and was given advice on requirements for the registration.

Lancing Parish Council: No objection

Representations

4 letters of objection received from the occupiers of 90, 97 Grinstead Lane (2 letters), Shadwells Court Residents Association:

- Large building
- Loss of privacy
- Regular flow of customers using the garden for access
- Increased privacy screens to boundaries needed
- Windows should be obscure glazed
- Fire hazard
- Harmful to occupants of Shadwells Court
- If business fails what will happen to the building?
- Inappropriate in a residential area
- Insufficient parking
- Will encourage further on street parking on busy road
- One of the parking spaces will block disabled access to the proposed building
- No turn on site – vehicles will have to reverse onto busy road
- No cycle parking provision
- Use would be better located in Lancing town centre
- Possible contamination from chemicals
- Disposal of waste water from toilet a concern (smell)
- Waste bins placed against boundary will cause smell and flies near where we sit in garden

Relevant Planning Policies

Adur Local Plan 2017 Policy 15
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (February 2019)

Planning Assessment

Principle

The proposal involves introducing a commercial use within a residential garden for use by the homeowner and a friend. Working from home can be acceptable in many cases and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers through noise and activity and the effect on the residential character and appearance of the site and its surroundings.

Visual amenity

The building is quite large but is sited at the end of a reasonably long rear garden (35m in length). It is more than 24m from the rear of the house. It is larger than that which could be built as permitted development (more than 2.5m high) but does not appear unduly overbearing or dominant. Mature trees retained within the garden also help to soften its impact.

Residential amenity

Being at the end of the garden the building does not have an adverse impact on the amenities of the adjoining houses to the north and south. There are flats (Shadwells Court) at the rear and while occupants are able to see the

building from their flats it is sufficiently distant (over 15m) to not cause an adverse impact through loss of light or overbearing impact.

Windows within the building will be obscure glazed to preserve privacy for both customers and neighbours.

The main concern is the level of activity through comings and goings that may arise from such a use. Since the application was submitted, the number of treatment rooms has been reduced to two, which is considered to be more acceptable for a commercial building in a back garden. The suggested hours of use are also considered to be reasonable.

Issues of fire safety will be dealt with under the Building Regulations.

Parking

With three treatment rooms the number of parking spaces (4) was considered to be insufficient. As amended, there is now considered to be adequate parking for the use. WSCC Highways do not consider that highway safety would be detrimentally affected through the proposed car parking arrangement and they have no objection.

Flood Risk

The site lies within Flood Zone 3. The submitted FRA states that the building is raised slightly above the ground while electrical sockets are 1m above ground level. Water will flow beneath the building and as there are no concrete foundations the storage capacity of the site has not been reduced.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. External Plant
4. Lighting
5. Music
6. Hours
7. No more than 2 customers receiving treatment at any time
8. Obscure glazing

Is recommendation contrary to letter(s) of representation? Y

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in

favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 27 August 2019

Authorised by: Gary Peck Date: 30 August 2019