

<u>APPLICATION NO:</u>	23/00181/FUL	<u>CASE OFFICER:</u>	Lee Osborne
<u>WARD:</u>	Halewood North	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	5 Gold Crest Mews, Halewood, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF A DETACHED BUILDING TO REAR GARDEN AREA FOR USE AS A HAIRDRESSERS		

Site Description

The application site consists of a detached house built in the 1990's and associated curtilage on Goldcrest Mews, a small cul-de-sac off Goldfinch Close. The cul-de-sac serves 6 houses, with areas of significant planting adjacent the northern side and at the end of the cul-de-sac extending round to the rear of the 3 houses on the southern side of the cul-de-sac.

Proposal

The application seeks consent to site a garden pod building in the rear garden for use as a hairdresser's. The building would be sited between the rear of the house and an existing prefabricated building used as a shed, which is located adjacent the north-eastern boundary of the site. The building would be 5m deep x 3.5m wide x 2.4m high with a cambered flat roof. It is also proposed to hard surface the front grassed area to provide additional parking spaces.

Consultations

Highway Authority - No objections provided the proposed parking spaces are provided., and conditions are requested.

Environmental Health - No objections.

Merseyside Fire And Rescue Authority - No objections in principle.

Cadent Gas Limited - No objections in principle.

Halewood Town Council - No comments received.

Representations

This application has been publicised by letters sent to 4 neighbours. No representations have been received.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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 in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

CS21 - Greenspaces and Trees

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

DQ4 - Trees and Development

Article 35 Statement

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.

Assessment

The application seeks consent to operate a proposed garden pod building sited in the rear garden of a house in a residential area as a hairdresser's. The building is modest in scale and the type found in residential areas. The applicant currently operates as a mobile hairdresser and the proposal would allow her to work at her home address. A hairdresser's such as that proposed is relatively low key and acceptable within a residential area in principle subject to amenity and highways considerations.

Visual Amenity

The proposed building is a garden pod type building often found in residential gardens to allow more usage of the garden and is acceptable in design. The building would be sited to the front of an existing prefabricated building used for storage purposes, and both the existing building and the proposed would be sited adjacent the north-eastern boundary of the site. There is a conservatory on the rear of the neighbouring house to the northeast of the site. Whilst the view out the side of the conservatory would be impacted by the proposed building the conservatory has

glazing on both the rear and the other side and therefore outlook impacts would not be significantly impacted upon. In addition, the side of the conservatory currently looks out onto a garden fence approximately 1.8m high which would remain. The proposal would not be detrimental to the visual amenities of neighbouring properties or the area in general.

With regard the parking proposed in the front this would involve the removal of a small tree and the hardstanding of an area currently grassed. The site is near the end of a small cul-de-sac and there is a turn in the road before it connects with Goldfinch Close and is there not readily visible apart from when you have turned the corner. The hard standing of the front area would be acceptable visually provided suitable materials were used for the surfacing.

The application complies with Policies CS2 and CS19 of the Core Strategy and Saved Policies H5 and H8 of the UDP.

Highways Considerations

The proposal includes 4 parking spaces to the front of the house, with 2 spaces at present, to allow for customer parking. The hairdressers would operate on an appointment system and therefore would provide for the person having their hair done, and someone turning up early for their appointment. In addition, some people will walk, being local to the application site. It is considered that the level of parking is satisfactory and also allow the house to the south, 7 Goldcrest Mews, to continue to be accessed if the application were allowed and the building functioning as a hairdressers. The Council Highways Engineer has no objections to the proposal but requests a condition that the parking spaces are installed prior to the building proposed coming into use.

The application complies with Policies CS2 and CS19 of the Core Strategy and Saved Policy H5 of the UDP.

Residential Amenity Considerations

The building is relatively modest and will be used by the applicant as a hairdressers, as currently she operates as a mobile hairdresser. Hairdresser's use machinery / equipment such as hairdryers etc and often have a radio/music on whilst operational. As such it is considered that the use of the proposed building as a hairdresser's would not have a significant detrimental impact on residential amenity. The proposed use would operate on an appointment basis, so in terms of customers visiting the premises it would be similar to friends of the applicant visiting. As such the proposal would not impact on the residential amenities of neighbouring properties or the area in general. Environmental Health have no objections to the application.

The application complies with Policies CS2 and CS19 of the Core Strategy and Saved Policy H5 of the UDP.

Tree Considerations

There is a tree within the front grassed area of the site to be removed for the parking provision. It appears that the tree was planted as part of the estate landscape scheme, or at some point after the house was built. There are no other trees in the front areas of properties on this stretch of the cul-de-sac. With the significant planting to the northwest of the cul-de-sac and the tree belt at the end of the cul-de-sac, extending round to the back of the properties on this part of the cul-de-sac, and given

that this part of the cul-de-sac is only visible street-side once the bend in the road is turned the loss of the tree would not be detrimental to the amenity of the streetscene. Mitigating planting could take place in the rear garden area, although due to potential space and light issues it is considered that 1 tree would be acceptable in this instance rather than the 2:1 replacement usually required.

Conclusion

The proposal is acceptable in design and would not harm the amenity of neighbouring properties or highways safety. The application complies with local planning policies and is recommended for approval.

Recommendation

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.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 3) Notwithstanding any submitted drawings hereby approved prior to the building hereby permitted being installed on the application site details of the external walls facing materials and colour shall be submitted to and agreed in writing by the Local Planning. The building shall only be sited in accordance with the agreed details.

Reason: In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policies H5 and H8 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 4) The development shall not be brought into first use until the area indicated on Proposed Site Plan P02 for parking has been hard surfaced, drained and permanently marked out or demarcated all in accordance with the details previously submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the surfacing of the parking area shall be porous or permeable materials. The parking area shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety and to comply with Policies CS2 and CS7 of the Knowsley Local Plan Core Strategy adopted January 2016 and saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 5) A scheme for replacement tree planting shall be submitted to and approved in writing by the Local Planning Authority prior to the car parking works required pursuant to Condition 4 commencing. The submitted scheme will be a tree replacement for the existing tree in the front grassed area of the

application site. The scheme should include the location, size and species of the replacement tree together with establishment and maintenance details together with a timetable of planting.

If the tree is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

Reason: In the interests of visual amenity and to ensure the development complies with Policy CS2, CS19 and CS21 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policies H5 and DQ4 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 6) The hairdressers hereby permitted shall not operate outside the hours 08.30 until 19.00 on Mondays - Fridays and 08.30 until 13.00 on Saturdays. The use shall not operate at all on Sundays or Bank or Public Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

- 7) The hairdressers use hereby permitted shall not be commenced until the walls and ceilings of the building hereby permitted have been sound insulated in accordance with a scheme which has been submitted to and approved in writing beforehand by the Local Planning Authority. The sound insulation measures shall be retained in full at all times that the hairdressers use is in operation.

Reason: To safeguard local residents from any noise and disturbance from the use, and to comply with Policy CS2 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 8) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the building hereby permitted to which this permission relates shall be used for domestic purposes, or as a hairdressers only and for no other purpose(s), including any other use falling within Class E of the Schedule to that Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, except with the prior grant of a further planning permission.

Reason: To enable the Local Planning Authority to assess any proposal for any further change of use whether or not it falls within the same Use Class and to comply with Policies CS2, CS7 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 9) This permission is for a limited period only. The use of the building hereby permitted as a hairdressers shall cease and the building revert to domestic ancillary use on or before 31st January 2025.

Reason: To enable the Local Planning Authority to re-assess the proposal on the expiry of the permission having regard to residential amenity and

parking to ensure compliance with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
24/04/2023	1342-JDA-ZZ-XX-DR-A-0001	REV P01	SITE LOCATION PLAN
24/04/2023	1342-JDA-ZZ-XX-DR-A-0002	REV P02	PROPOSED SITE PLAN
24/04/2023	1342-JDA-ZZ-XX-DR-A-0001	REV P02	PLAN AND ELEVATIONS

Signed Case Officer¹: **Lee Osborne**

Signed Authorising Officer²: **K Foster**

Date: **7 July 2023**

Informatives

- 1 Cadent response
- 2 Merseyside Fire Service response.

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

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Appendix 1 – Site Photographs