

North Northamptonshire Area Planning Committee (Wellingborough)

Application Reference	NW/22/00503/FUL	
Case Officer	Ms Kate Skingley	
Location	117 The Drive Wellingborough NN8 2DD	
Development	Change of use of domestic outbuilding (C3 use) into a hairdressing salon (E (a) use)	
Applicant	Cleo Austin	
Agent	Anna-Louise Jardine	
Ward	Croyland and Swanspool Ward	
Overall Expiry Date	1 September 2022	
Agreed Extension of Time	15 October 2022	
Checked	Senior Development Management Officer	Debbie Kirk

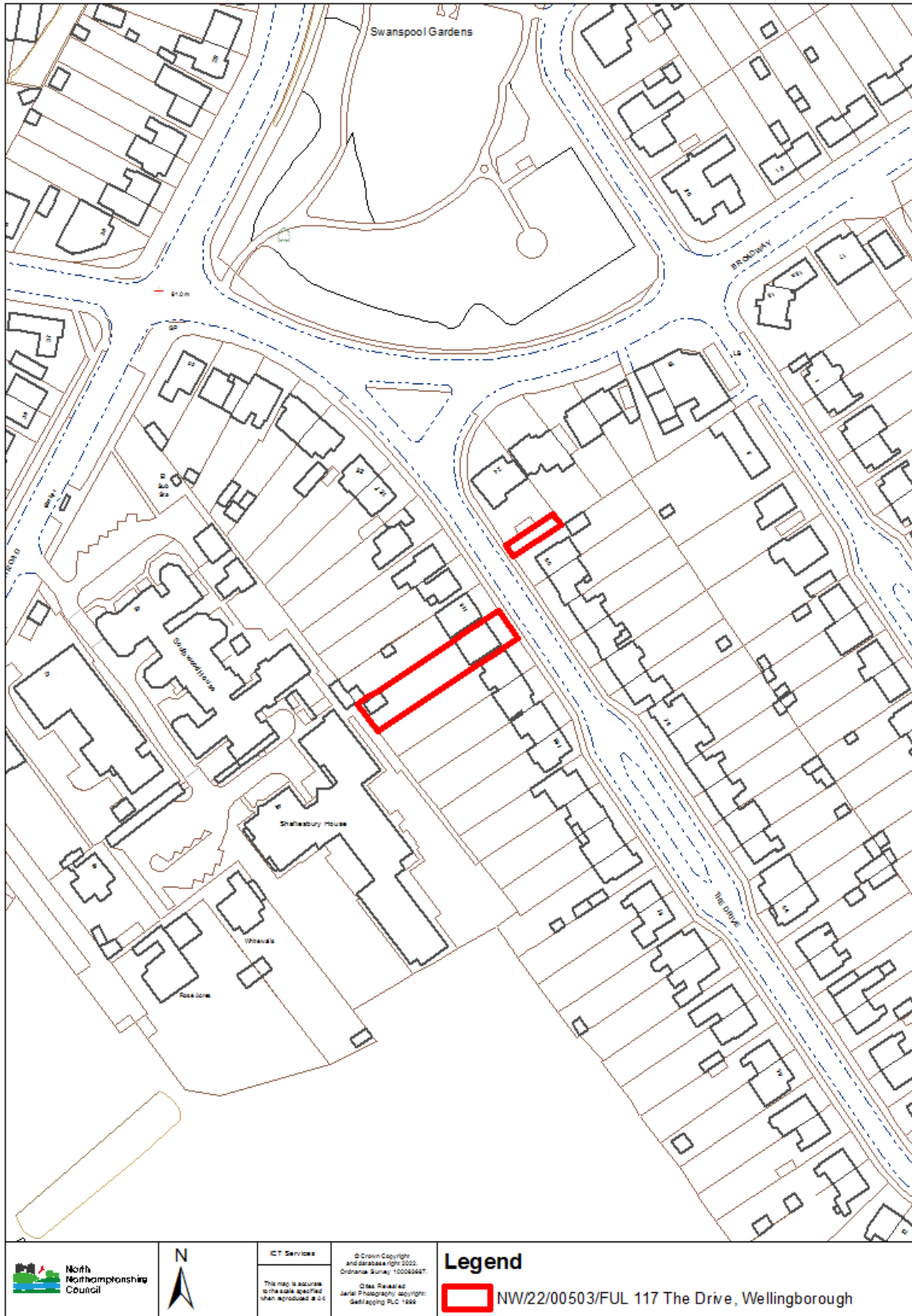
Scheme of Delegation

This application is brought to committee because it falls outside of the council's scheme of delegation as 5 or more objections have been received, and the officer's recommendation is to approve.

The ward councillor has requested a site visit by the Wellingborough planning committee before a decision is made.

Having reviewed the issues concerning the site and the area around the site, the decision has been taken by agreement of the Chair, Vice Chair, interim principal planning and enforcement manager and senior planning officer not to undertake a site viewing for this application.

NW/22/00503/FUL



1. Recommendation

- 1.1 That planning permission be **GRANTED** subject to the conditions listed at the end of the report

2. The Application Proposal and Background

2.1 The application proposes the change of use of an existing outbuilding in the rear garden of 117 The Drive, which is a residential property. The existing outbuilding measures 3.4 metres (width) x 5.5 metres (Length) x 2.3 metres (height) and is constructed from treated timber. The outbuilding is accessed via double doors and there are 3 No. windows – 2 No. to the front elevation and 1 to the side, which overlooks the access from the house.

The outbuilding is in the rear garden of the residential property (117 The Drive, Wellingborough) and was originally built as a domestic garden room. The building's current use is incidental to the enjoyment of the main house and falls within the height restrictions set out under Schedule 2, Part 1, Class E (e) (ii) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for structures in proximity to the boundary. Therefore, in its current form, the structure is lawful as it meets all the criteria for an outbuilding set put under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and constitutes permitted development.

The applicant now seeks a change of use in order to operate a hair salon from the outbuilding.

Proposed Refurbishment works

To facilitate the proposed change of use to a hair salon (E (a) use), the proposed works to the outbuilding include the internal lining of the walls and roof with rigid insulation board and plaster.

The applicant will then be sub-dividing a corner of the building to create a WC cubical with wash basin.

There is existing electrical power to the outbuilding and new waste and water supply to be connect to existing private drain at the property.

The applicant proposes to refurbish the exterior to refresh the existing stained cladding, replace the felt and repair the guttering. These enhancements are to preserve the life of the building but will not alter the overall appearance of the building.

Business Operation

The proposed business use is for hairdressing. The applicant will be a sole trader – there will be no other people employed in the business.

The hours of business are proposed to be 09:00 -18:00 from Monday to Saturday (closed Sundays and Bank Holidays).

The property benefits from 3 parking spaces which are located on the other side of the road from the house. These parking spaces are existing and measure 16.059 metres in length and 3.5 metres in width.

A further space at the front of the dwelling is proposed to be formalised, through the introduction of a vehicular crossover/access.

Access to the salon will be by appointment only and via the side access for the house and through to the garden, along existing hardstanding areas.

There are no proposed changes to the landscape at the property.

3. Site Description and Surroundings

3.1 The application site is located in the rear garden of no.117 the Drive, a two-storey detached property located in a largely residential area to the south of Wellingborough town centre. To the south of the property is No. 115 The Drive, and to the north is No.119 The Drive. To the west, the rear boundary of the garden abuts Shaftesbury House, 46 Doddington Road which is sheltered housing accommodation (C2 use).

3.2 The application relates to an outbuilding of wooden construction that is located within the rear garden of the property. The garden and outbuilding can be accessed via a gate that is located to the side of the house but is not visible from the road.

3.3 The property has 3 parking spaces which are located on the opposite side of the road, adjacent to number 90 The Drive and a further 1 space at the front of the house.

4. Relevant Planning History

BW/1990/0596	Approved with conditions Single storey extension to side and rear of dwelling house	10.09.1990
--------------	--	------------

5. Consultation Responses

A full copy of all comments received can be found on the Council's Website <https://www.wellingborough.gov.uk/viewplanningapplications>

5.1 Wellingborough Town Council

Members note the vast number of objections for this application; however, NNC highways have accepted the parking proposal.

No objection; subject to a condition added that they are restricted to standard working hours between 09:00 – 17:30 to minimize the impact on neighbouring properties.

5.2 Neighbours/Responses to publicity

8 letters of objection from 6 households in The Drive have been received. The issues raised are summarised below:

- Concerned about security and privacy – customer will see directly into kitchen window/downstairs living area.
- Access – the parking area has a restricted view on exiting due to a high fence, endangering vehicles and pedestrians
- Impact on visual amenity and view from kitchen window
- Loss of light if large vehicles are parked in the spaces
- Noise and light pollution and disturbance with more cars coming down the road
- The area is already busy during school hours
- The driveway has not been maintained during the last 30 years and is in a state of disrepair. There is a drop in levels of surface
- Cars entering and leaving the space during winter months with full headlights will have an impact
- Object to it being a hairdressing salon and it is a residential street
- Parking will be an issue
- The hours are long from 09:00 to 18:30 6 days a week
- The allotted parking will be dangerous for other vehicles to endanger the entry and exit of the drive
- Object in the strongest terms
- The drive is a narrow, residential street that has parking problems
- Difficult for a fire engine to go down the street additional cars will make this worse.
- The parking area is narrow and will result in shuffling of cars
- Tall fence on one side which means views up the road are restricted
- How long before clients will park on the road causing issues to residents in the vicinity of the site
- The Drive is located between 2 school sites. Parents use The Drive at both ends of the school day to drop off & collect their children.
- The operating hours of the proposed salon are 9.00 - 18.30. By 18.30 a lot of the local residents are home from work and the street is very crowded indeed. More cars would only add to the problems.
- Want the spaces to be used by customers, not for them to park on the road
- Working hours could cause issues when people come home from work and they cannot park at their house
- Concerned about added vehicles along a residential street and may cause injury to pedestrians and vehicles.
- Already have parking on the road for residents and for pickup of children from Wrenn School
- Concerned about parking of emergency vehicles/carers etc if there is no parking available on the road.
- Parking opposite has a blind spot, and many will just park on the road where it is easier for them.
- Object to increased traffic in a residential area with limited parking for residents
- Do not feel that customers will use the parking spaces opposite.

- Hours of business seem excessive for 6 days a week.

Supportive comments

1 Supportive comment has been received. The comments are summarised as follows:

- No objection. The property has its own parking spaces for 2 or 3 cars so it will not cause problems for residents.

5.3 Ward Councillor (Councillor Anslow)

Request a site visit so that the arrangements for parking can be assessed. Anyone who parks on the land opposite will have full view into the kitchen and living quarters of neighbouring property.

The parking area for the salon is a potential hazard

Do not object to the business being run from the house, it is the provision for parking that is the concern

5.4 Local highway Authority (LHA)

Does not intend to raise an objection to the application on highway safety or capacity grounds

The arrangements to be made for parking are noted and, although separated from the site of the application, are considered acceptable.

Updated comments:

Following the submission of an updated Design and Access Statement and highway plan that shows the proposed introduction of a formal vehicular crossover. The local highway authority have confirmed that the proposal is noted and is satisfactory. The local highway authority have advised that the applicant should make arrangements for a licence to construct the crossing with regulations.ncc@westnorthants.gov.uk at the appropriate time.

5.5 Northamptonshire Police

Has no formal objection or comment to the application in its current form.

5.6 NNC Environmental Protection Officer

Concerns about noise from the proposed use having an adverse impact on the amenities of occupiers of the neighbouring dwellings.

The proposed use as a hairdressing salon is to be based in a garden outbuilding positioned at the bottom of the garden of the applicant's dwelling. Noise will be generated from the use of hairdryers and low-level music from a radio in addition to loud voices which may give rise to noise disturbance to occupiers of adjacent properties in their gardens and potentially also in their homes. In addition, there will be the added noise from clients arriving at and leaving the premises in their vehicles and walking to and from the outbuilding. As there is little information relating to the sound insulation properties of the outbuilding and the proposed sound insulation.

Recommend the following conditions be imposed:

Hours of use

The hours of use shall be: 09.00 to 18.00 Monday to Saturday and at no time on Sundays or Bank Holidays or any recognised public holidays.

Sound Insulation Scheme

Prior to commencement of the use, details of the sound insulation properties of the outbuilding shall be submitted to the local planning authority for approval. The outbuilding should be capable of preventing noise breakout from noise generated by the proposed inside the outbuilding, and noise shall not be audible at the boundary of the neighbouring dwellings.

Following receipt of these comments the applicant provided an updated Design and Access Statement which provided additional details in relation to sound insulation proposal. These have been reviewed by NNC environmental protection officer who has provided the following response:

Reviewed the revised Design and Access Statement (Revision A: September 2022) for the above consultation.

Although no objections to the proposal in principal, have concerns about noise from the use having an adverse impact on the amenities of occupiers of neighbouring properties. Insufficient information has been submitted relating to the sound attenuation properties of the outbuilding, the level of noise to be generated inside the outbuilding, the potential for noise breakout from the outbuilding and the resulting noise levels in the gardens and / or homes of neighbouring dwellings.

The applicant has confirmed that noise will result from the use of a hairdryer which can emit noise levels upwards of 90dB(A), and the playing of background music via a radio which can vary in noise levels. Inevitably, there will also be noise from voices from the salon stylist and the client which may be raised over the sounds of the hairdryer and music. In the absence of a noise assessment that quantifies noise levels and the sound attenuation properties of the outbuilding, unable to determine the level of noise that will be generated inside the building, the level of noise break out from the building and the resulting noise levels in the gardens of adjacent residential properties and / or inside homes of adjacent properties. If the applicant is unable to supply additional information at this stage and the local planning authority are minded approving, recommend that the following conditions be imposed on any planning consent:

'Prior to commencement of the use hereby approved, a noise assessment shall be submitted to the local planning authority for approval. The assessment shall determine noise levels that will be generated inside the outbuilding from the use of hairdryers, music and other noise generating activities, including loud voices. The report shall determine the level of sound insulation required to the outbuilding and / or any other mitigation measures required to minimise noise breakout from the outbuilding in order to prevent noise having an adverse impact on occupiers of neighbouring properties.

Once approved, the sound insulation scheme and any mitigation measures identified within the report shall be implemented in accordance with the approved scheme. Following completion of the approved scheme, a verification report that demonstrates

the effectiveness of the scheme must be submitted for approval in writing from the local planning authority before commencement of the use hereby approved’.

Informative: It is recommended that you contact the local planning authority to agree the methodology prior to commissioning the report.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

Town and Country Planning (General Permitted Development) Order 2015 (as amended)

6.3 North Northamptonshire Joint Core Strategy – Part 1 of the local plan (JCS)

Policies:

- 1 (presumption in favour of sustainable development)
- 4 (biodiversity and geodiversity)
- 5 (water environment, resources and flood risk management)
- 8 (North Northamptonshire place shaping principles)
- 9 (sustainable buildings and allowable solutions)
- 12 (town centres and town centre uses)

Other Relevant Documents:

Sustainable Design

Parking

7. Evaluation

The proposal raises the following main issues:

- principle of development and material considerations;
- design, layout and the effect on the character and appearance of the surrounding area;
- flood risk and surface water drainage;
- foul sewage;
- noise:
- living conditions of the neighbouring occupiers;
- effect/impact on highway safety in relation to the proposed access arrangement and parking provision;
- crime and disorder;
- conditions

Principle of Development and material considerations

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise.”*

7.2 Policy 1 of the JCS is clear that when considering development proposals, the local planning authority will take a positive approach that reflects the presumption in favour of sustainable development as set out within the revised NPPF.

7.3 In addition to the specific NPPF requirements set out above, paragraph 132 states that ‘applicants will be expected to work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably’.

7.4 Pre-application advice has been sought from the council prior to the submission of this application. The NPPF from paragraph 41 extols the virtues of applicants engaging in pre application discussion with the council to resolve any issues that may arise to help applicants avoid any unnecessary delays and costs.

7.5 The scale and nature of this proposed use in the garden of a residential property is considered to be of a small scale business use and it is unlikely to be harmful to the retail and employment objectives of the spatial policies of the development plan, particularly policy 12(a) of the JCS which seeks to direct these types of uses to the town centre. The use is considered to be acceptable in principle and lies in close proximity to the Wellingborough town centre and is considered to be a sustainable location.

7.6 The principle of this small-scale change of use is therefore considered to be acceptable. However, it is still necessary to consider the proposals against the more detailed policies of the development plan and other material considerations.

Design, layout and the effect on the character and appearance of the surrounding area

7.7 JCS at policy 8 (d) (i) and (ii) describes the principles that proposed development must take into account with regards to its effect on the character and appearance of an area.

7.8 The government at paragraph 130 (a) – (d) of the revised NPPF attaches great importance to the design of built development. It goes on to advise that planning decisions should ensure that development will function well and add quality of the overall area; not just for the short term but over the life time of a development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the built environment and landscape setting, while not discouraging appropriate innovation and change; establish or maintain a strong sense of place, using the arrangements of streets, space, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

7.9 The National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the

Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

7.10 The outbuilding is located within the rear garden of number 117 The Drive. It is not visible in the public domain and will not have any impact upon the character and appearance of the area or street scene. The size and overall appearance of the outbuilding is appropriate in the rear garden of the house and does not appear out of character or place. The applicant proposes to refurbish the exterior to refresh the existing stained cladding, replace the felt and repair the guttering. These enhancements are to preserve the life of the building but will not alter the overall appearance of the building.

7.11 The scale of the business use is acceptable and compatible with a residential area. The information submitted with the application indicates that no additional staff will be employed, and the hair salon will be run on an appointment only basis. This use is acceptable and will not cause any unacceptable harm to the residential character of the area.

7.12 The proposed change of use is considered to comply with policy 8 (d) (i) & (ii) of the JCS and is acceptable.

Flood risk and drainage

7.13 The JCS at policy 5 sets out a raft of sub policies aimed at preventing or reducing flood risk.

7.14 The revised NPPF at chapter 14 sets out government views on how the planning system should take into account the risks caused by flooding. The planning practice guidance under the chapter titled 'flood risk and climate change' gives detailed advice on how planning can take account of the risks associated with flooding in the application process.

7.15 The site is located within flood zone 1 which is at the lowest risk of flooding. It is not located in an area at risk of groundwater flood risk. As such it is not considered that there are any flood risks associated with this development.

7.16 The proposal therefore complies with policy 5 of the JCS.

Foul sewage

7.17 JCS Policy 10 (b) requires new development to minimise increases in the demand for additional/expanded water infrastructure. Whilst policy 10 (c) states that planning permission will only be granted if it can be demonstrated that there will be sufficient infrastructure capacity provided within an agreed timescale to support and meet all the requirements which arise from the proposed development. Policy 10 (d) continues by saying that the council and developers should work with infrastructure providers to identify viable solutions to deliver infrastructure where appropriate by phasing conditions, the use of interim measures and the provision of co-located facilities.

7.18 The information submitted with the application indicates that the applicant will be sub-dividing a corner of the building to create a WC cubical with wash hand basin. There is existing electrical power to the outbuilding and new waste and water supply will be connected to the existing private drain at the property.

7.19 The proposal is not considered to cause any unacceptable issues in relation to infrastructure provision to support the use. The proposal would be in compliance with policy 10 (b), (c) & (d) of the JCS.

Living conditions of the neighbouring occupiers

7.20 The JCS at policy 8 (e) (i) details policy relating to the protection of amenity of neighbouring occupiers.

7.21 At paragraph 130 (f) of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users.

7.22 It is noted that concerns have been raised by nearby residents in relation to how the proposed development may affect them, particularly in relation to privacy and parking arrangements and general compatibility of the business use in a residential area. The matter of parking is discussed later in this report.

7.23 In relation to privacy, some comments have been received in relation to loss of privacy and overlooking as a result of the parking space that are located across the road from the site, adjacent to number 90 The Drive. Concern has been raised that customers using these spaces, will have direct view into the side kitchen window of this property, and that the potential for large vehicles to park here could block light to the window. Concern has also been raised in relation to cars headlights causing disturbance.

7.24 Whilst these comments are noted, it is not considered that the use of these parking spaces by customers, will be significantly different to the current situation. The spaces are existing, and it is possible for the owner/occupier of 117 The Drive to park here, along with any visitors to the property. The window serving number 90 is not directly adjacent to the parking area, with No.90s driveway also being located between the house and No.117's parking spaces. It is not considered that this would encourage or create any additional or unacceptable overlooking for customers parking here.

7.25 In consideration of the issues that have been raised in relation to privacy, it is not considered necessary or appropriate to request a fence to be erected along the boundary of the site in order to create some separation between the parking area and the neighbouring property. This would restrict the parking area for each property and is not considered necessary to mitigate the proposed change of use of the outbuilding to a hair salon.

7.26 As such, whilst the comments and concerns of nearby occupiers and the ward councillor are noted in relation to this concern, it is not considered that the impact of the use of these parking spaces would be unacceptable.

7.27 In relation to hours of operation of the business, the applicant has clarified that the hours being sought are from 09:00 to 18:00 Monday to Saturday. These hours have been reviewed by NNC environmental protection officer who has confirmed that they are acceptable. The salon will have just one customer at a time, and it is not considered that this will lead to any unacceptable disturbance or intensification of use that would be incompatible with the residential area.

7.28 It is recommended however that a condition is imposed which restricts the use of outbuilding as a hair salon for use only by the current occupier and that no additional people will be employed at the site for this use. This will ensure that the nature of the use remains of a scale that fits within a residential setting.

7.29 In relation to noise impacts, the JCS at policy 8 (e) (ii) states that new development should be prevented from contributing to or being adversely affected by unacceptable levels of noise.

7.30 In relation to noise impacts NNC environmental protection officer raised concerns about noise from the proposed use having an adverse impact on the amenities of occupiers of the neighbouring dwellings.

7.31 The proposed use as a hairdressing salon is to be based in a garden outbuilding positioned at the bottom of the garden of the applicant's dwelling. Noise will be generated from the use of hairdryers and low-level music from a radio in addition to loud voices which may give rise to noise disturbance to occupiers of adjacent properties in their gardens and potentially also in their homes. In addition, there will be the added noise from clients arriving at and leaving the premises in their vehicles and walking to and from the outbuilding. As there is little information relating to the sound insulation properties of the outbuilding and the proposed sound insulation.

7.32 A condition was recommended in relation to the hours and the submission of further noise information as follows:

Sound Insulation Scheme

7.33 Prior to commencement of the use, details of the sound insulation properties of the outbuilding shall be submitted to the local planning authority for approval. The outbuilding should be capable of preventing noise breakout from noise generated by the proposed inside the outbuilding, and noise shall not be audible at the boundary of the neighbouring dwellings.

7.34 Following receipt of these comments, additional information was submitted by the applicant in an updated Design and Access Statement. The details indicated that the building will be internally insulated with Isover Acoustic Partition Roll (APR1200) 50 millimetres between timber studs and lined with plasterboard.

7.35 This additional information has been reviewed by NNC environmental protection officer who has confirmed that whilst they have reviewed the updated information, that in order to protect the amenity of nearby residential occupiers a condition should be imposed which requires a noise assessment to be submitted prior to the first use of the salon to determine the noise levels that will be generated inside the outbuilding from the use of hairdryers, music and other noise generating activities, including loud voices. The report shall determine the level of sound insulation required to the outbuilding and / or any other mitigation measures required to minimise noise breakout from the outbuilding in order to prevent noise having an adverse impact on occupiers of neighbouring properties.

Notwithstanding the above, it should be identified that the council's environmental protection service has powers to deal with any unacceptable noise the development may create as necessary under the provisions of the Environmental Protection Act 1990.

The proposed development would be acceptable, and subject to the imposition of the recommended conditions complies with policy (e) (i) or (ii) of the Joint Core Strategy.

Highway safety

7.36 JCS policy 8 (b) (i) gives a number of requirements that new development should achieve with regards to highway, pedestrian and other sustainable transport matters.

7.37 JCS policy 8 (b) (ii) seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

7.38 It is noted that there has been concern raised by several objectors in relation to the parking arrangements for the business, and concern that the increased demand for parking will result in parking on the road which will cause parking issues for residents.

7.39 Parking accommodation should be provided in accordance with the Northamptonshire parking standards (2016) and satisfy policy 8 (b) (i) of the JCS. Based on these standards the hair salon would require the provision of 1 off road parking spaces (based on a floorspace of 18.69 square metres). The existing dwelling has 3 bedrooms, and as such the standard requires that 2 parking spaces should be provided. This creates an overall requirement for 3 off road parking spaces.

7.40 As noted earlier in this report, parking to serve the dwelling and proposed hair salon (for up to 3 cars) is located across the road from the site adjacent to the driveway for no.90 The Drive.

7.41 The local highway authority has been consulted on this application and have confirmed that they have no objection in relation to the proposed parking arrangements, noting that they are located away from the main house.

7.42 Whilst the local highway authority has raised no objection, and the level of parking provided is in accordance with the Northamptonshire parking standards, the applicant was keen to address some of the concerns that had been raised locally. As such, an updated Design and Access Statement was received which sets out the intention for an additional space located to the front of the property at No.17 and the drive to be formalised through the creation of a vehicular crossover and dropped kerb.

7.43 A parking management section has also been included in the Design and Access Statement which explains that the hair salon will operate on an appointment only booking system, and through the provision of the allocated parking to ensure that customers do not park on the road. The primary space to serve the salon, will therefore be the space to be formally created at the front of No.17. First time clients will be directed to use this space via text message when booking.

7.44 The Drive is an unclassified road, and as such planning permission is not required for the vehicular crossover/dropped kerb to be installed. A highway licence will however be required. As such, it is recommended that a condition is imposed that

requires this work to be done prior to the first use of the hair salon. This will ensure that the space at the front of the property for use by customers will be available when the use first starts.

7.45 It is relevant to note however, that there is still enough parking available at the site to meet the Northamptonshire parking standards, without this space being created. The provision of this space will however assist in reducing the potential for customers to park on the road and to address some of the concerns that have been raised locally. This approach has been reviewed by the local highway authority who have confirmed that it would be acceptable.

7.46 It is also noted that concerns have been raised by some objectors in relation to the safety of the parking spaces located on the opposite side of the road in relation to visibility. This is noted; however, the spaces are existing, and no changes are proposed. The local highway authority have reviewed the arrangements and have confirmed that they are acceptable and that they have no objection.

7.47 The local highway authority have noted 'that it appears that the parking area on the opposite side of the road is within the control of the applicant and is a pre-existing facility. It benefits from a footway crossing but lacks adequate pedestrian to vehicle visibility on the northern side. This lack of visibility is shared with the adjoining, gated, driveway but is not considered sufficiently serious for an objection to be raised to its use on highway safety grounds.'

7.48 The proposed development is considered to be acceptable and would be compliance with policy 8 (b) (i) and (ii) of the JCS.

Crime and disorder

7.49 Section 17 of the Crime and Disorder Act 1998 details the need for the council to do all that it reasonably can to prevent, crime and disorder in its area.

7.50 The JCS at policy 8 (e) (iv) sets out the policy requirement for new development to seek to design out crime and disorder and reduce the fear of crime. The adopted designing out crime supplementary planning guidance gives detailed advice on this issue.

7.51 Northamptonshire Police's Crime Prevention Design Advisor has been consulted on this application and has no objections. It is therefore not considered that there are any crime or security issues related to this application that would prevent it coming forwards. The proposal is therefore considered to comply with policy 8 (e) (iv) of the JCS and is acceptable.

Conditions

7.52 The revised NPPF at paragraph 56 requires conditions to only be imposed where they are: necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The PPG reiterates this advice.

7.53 It is considered that the proposed conditions meet the tests set out in the NPPF and the provisions of the PPG.

8. CONCLUSION/PLANNING BALANCE

The proposed development complies with the relevant development plan policies and is consistent with the provisions in the revised NPPF. In the absence of any material considerations of sufficient weight, it is recommended that the proposal be approved subject to conditions.

9. RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions listed at the end of the report

10. Conditions/Reasons for Refusal

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

Reason: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following plans/details:

Drawing: 22-0605-02 Existing and Proposed Plans and elevations (received 13 September 2022)

Design and Access Statement Rev A (amended) received 13 September 2022)

Reason: To ensure that the development is carried out in accordance with the approved plans and will form a satisfactory form of development.

3. The use of the outbuilding hereby permitted at No. 117 the Drive, Wellingborough, is for a hair salon business only and shall enure only for the benefit of the applicant, Miss Cleo Austin. The hair salon business shall not involve the employment of additional staff over and above the proprietor without the express planning consent by the local planning authority.

Reason: To protect the amenity of the neighbouring residential occupiers in accordance with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

4. The hair salon business shall only operate during the following hours:
Monday to Saturday 09:00 - 18:00 and shall not operate on Sundays or on Bank Holidays or any recognised public holidays.

Reason: In order to protect the amenities of nearby residential occupiers and to comply with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

5. Prior to the first use of the outbuilding as a hair salon hereby approved a dropped kerb and vehicular crossing shall have been installed in order to allow off road parking at the front of 117 The Drive. A licence under Section 184 of the Highways

Act 1980 for the works to construct the crossing shall be obtained from the local highway Authority and the works undertaken by an approved contractor.

Reason: In the interests of highway safety in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

6. Prior to commencement of the use hereby approved, a noise assessment shall be submitted to and approved in writing by the local planning authority. The assessment shall determine noise levels that will be generated inside the outbuilding from the use of hairdryers, music and other noise generating activities, including loud voices. The report shall determine the level of sound insulation required to the outbuilding and / or any other mitigation measures required to minimise noise breakout from the outbuilding in order to prevent noise having an adverse impact on occupiers of neighbouring properties.

Once approved, the sound insulation scheme and any mitigation measures identified within the report shall be implemented in accordance with the approved scheme and prior to the first use of the outbuilding as a hair salon business. Following completion of the approved scheme, a verification report that demonstrates the effectiveness of the scheme must be submitted for approval in writing from the local planning authority before commencement of the use hereby approved.

Reason: In order to protect the amenities of nearby residential occupiers and to comply with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

11. INFORMATIVE/S:

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 38 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the approved development is consistent with the relevant provisions in the framework.
2. The applicant should make arrangements for a licence to construct the vehicular crossing with regulations.ncc@westnorthants.gov.uk at the appropriate time.
3. It is recommended that you contact the local planning authority to agree the methodology of the Noise assessment prior to commissioning the report.