

2.6 REFERENCE NO - 21/504173/FULL		
APPLICATION PROPOSAL Retrospective application for a change of use of old garage to a hair salon for one person only.		
ADDRESS 15 Stangate Drive Iwade Sittingbourne Kent ME9 8UG		
RECOMMENDATION Grant subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION Conversion of garage doesn't cause unacceptable harm to visual or residential amenity, and an adequate parking provision is provided at the site.		
REASON FOR REFERRAL TO COMMITTEE Parish Council objection		
WARD Bobbing, Iwade And Lower Halstow	PARISH/TOWN COUNCIL Iwade	APPLICANT Gemma Goldsmith Hair Designer AGENT
DECISION DUE DATE 17/01/22	PUBLICITY EXPIRY DATE 18/11/21	

Planning History

SW/01/0375

Approval of Reserved Matters of SW/00/340 for erection of 130 dwellings together with roads, sewers and all ancillary works.

Approved Decision Date: 20.09.2001

SW/00/0340

Outline Application for Residential development and future expansion of primary school.

Approved Decision Date: 13.10.2000

1. DESCRIPTION OF SITE

- 1.1 15 Stangate Drive is a detached two storey property located within the built up area boundary of Iwade. There is a detached garage located within the rear garden of the property, which has been partially converted to a hair salon. A driveway is located to the front of the garage. At the rear of the property is private amenity space, and there is a small garden to the front.
- 1.2 The property is located on a fairly modern housing estate surrounded by dwellings of a similar scale with varying designs.

2. PROPOSAL

- 2.1 This application seeks retrospective planning permission for the conversion of the garage to a hair salon. The only external work to the garage that has taken place is the insertion of patio doors and a window in the side elevation of the garage. The garage door remains in situ, with the front part of the garage used as a storage area.
- 2.2 The application sets out that only the applicant will work in the salon, and the statement submitted by the applicant during the course of the application sets out that the opening hours are 9.30am – 5.00pm Tuesday to Friday and 9.30am – 1.00pm on Saturdays. The salon will be closed on Mondays, Sundays and bank holidays. Only one client will visit the salon at a time, with the average appointment time being 2 hours.
- 2.3 The applicant has sent a statement dated 13th December 2021 to clarify the intended manner of operation as follows:

Confirmation of Working Hours

Tuesday-Friday 9:30am to 5:00pm

Saturday 9.30am to 1:00pm

Sunday-Monday and all bank holidays closed.

There is only and always will be myself working within the salon and only one client at any one time with the average appointment duration being around 2 hours.

Parking

Clients are requested to park vehicles on driveway as there is still sufficient space as my Husband and myself share 1 car and driveway can accommodate 2 cars with ease. Also please note that as off 13/12/21 there hasn't been and comments from neighbors on the planning portal nor any complainants in the last 16 months of operating to myself personally.

In light of the above with no complaints from the environment agency, no objections from Swale borough Council and none from neighbors and along with the current government's guidelines advising work from home if you can, I feel it would be fair to approve this application.

3. PLANNING CONSTRAINTS

3.1 Potential Archaeological Importance

4. POLICY AND CONSIDERATIONS

4.1 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)

4.2 Development Plan: Policies ST3, CP1, CP4, DM7, DM14 and DM16 of Bearing Fruits 2031: The Swale Borough Local Plan 2017

4.3 Supplementary Planning Guidance (SPG): 'Designing an Extension: A Guide for Householders'

5. LOCAL REPRESENTATIONS

5.1 One comment was received from a neighbouring property. Its contents is summarised below:

- I have no problem with a business set up to work from home, however I note that the applicant's statement on client parking is not being followed.
- On a regular occurrence, customer's cars park on the kerb outside our front room window, blocking light to our property.

6. CONSULTATIONS

6.1 Iwade Parish Council originally expressed "*Concern regarding loss of parking spaces and extra parking*". I contacted the Parish Council for clarification on their comments and they confirmed they want their comments to be treated as an objection.

6.2 County Archaeological Officer – No archaeological measures required.

6.3 Environmental Health Manager – "*Having considered the small-scale operation of this retrospective application for change of use to an A1 class use, along with the proposed*

hours of opening and location of the garage in relation to other residential properties, I have no objection or recommendations to provide.”

7. BACKGROUND PAPERS AND PLANS

- 7.1 Plans and documents submitted as part of application 21/504172/FULL.

8. APPRAISAL

Principle of Development

- 8.1 The application site lies within the built up area of Iwade, within a residential and sustainable location. The adopted Local Plan directs development towards these areas. The principle of minor development within these locations is generally regarded as acceptable and in accordance with accords with policy ST3 of Bearing Fruits 2031 – The Swale Borough Local Plan 2017.

- 8.2 In regard to smaller business creation, this is broadly supported under policy CP1 which is generally supportive of home grown business creations. However, the operation of a business in a predominantly residential environment can potentially give rise to impacts, and these are considered further below.

Visual Impact

- 8.3 The garage door remains in situ, and the only external changes to the garage (the insertion of patio doors and a window) are located in the side elevation of the structure. As such, the changes to the garage are not visible from Stangate Drive. The window and patio doors sit comfortably on the structure in my opinion, and do not cause harm to the visual amenities of the site.

Residential Amenity

- 8.4 The garage conversion has not increased the garage in scale, and whilst a window and patio doors have been inserted in the side elevation, I do not consider this causes any overlooking issues given the window is at single storey and the rear garden is enclosed by 1.8m close boarded fencing, limiting views of neighbouring properties.
- 8.5 Regarding the use of the garage as a hair and beauty salon, there is potential for additional noise/disturbance, especially generated by vehicles coming and going. The applicants statement sets out that the salon is open 9.30am – 5.00pm Tuesday to Friday and 9.30am – 1.00pm on Saturdays. Further to this, the applicant confirmed on site that there will generally be only be a few clients visiting the site a day, and only one client will visit the salon at a time. The Council's Environmental Health Manager raises no objection to the scheme taking into account the hours of opening. Taking all of the above into account, I do not consider the change of use of the garage will cause significantly harmful impacts to neighbouring amenities. I have recommended conditions below restricting the hours of use and restricting the use to a hair salon, to prevent the salon being converted to another use in Class E without the need for planning permission. I also suggest that a condition is imposed to prevent any staff being employed, which will further limit the activity related to the business.

Highways

- 8.6 This application results in the loss of the garage as a parking space. The SBC Parking Standards SPD sets out that a three bedroom property in this location should provide 2 to 3 parking spaces. Two parking spaces will remain on the existing driveway at the property. Both spaces accord with the minimum parking space sizes set out in the SPD. I also pay regard to the fact that the garage is 2.5m wide internally, which is significantly undersized when compared to the Council's Parking Standards SPD which sets out that a single garage should have an internal width of 3.6m. I note the recent appeal decision at 30 Grove Park Avenue, where an Inspector considered an existing garage should not count as a space as it was undersized, and in taking the same approach with this application, I consider that whilst the two parking spaces on the driveway only satisfy the lower end of the parking provision, the garage did not provide a useable parking space and as such its loss is acceptable.
- 8.7 I also pay regard to the fact that there will be only one client visiting the property at the time. The applicant has stated that clients are requested to park on the driveway at the property, as the applicant only has one car and as such, there is always one space spare on the driveway. On street parking takes place in the surrounding area in an ad hoc basis, and when visiting the site during the weekday, there did not appear to be a high amount of vehicles parking in Stangate Drive. Taking into account the opening hours of the salon generally take place at times when parking stress in the surrounding area will be lower, such as weekdays, I do not consider the addition of one car parking potentially on the street will cause a harmful intensification of vehicle movements in the area.
- 8.8 Taking the above into account I consider that the permanent loss of the garage would not result in any significant adverse impact on highway safety and convenience, given the two remaining spaces on the driveway, which provide an acceptable parking provision for the property.

Other Matters

- 8.9 It is relevant to consider that some businesses often operate from residential premises, without the need for planning permission. These can be businesses such as child minders and hairdressing, where a degree of additional activity (such as noise / car traffic) can be tolerated without materially changing the predominant use as a residential dwelling. There is a point when such uses may increase to a point where permission is required – for example with child minding the common tipping point is if more than six children are looked after. In this instance, whilst the dedicated use of an outbuilding as a salon has potentially tipped the balance to require a planning application, such use, if adequately controlled, should result in a low number of visitors to the site.

9. CONCLUSION

- 9.1 Taking all of the above into consideration and subject to the proposed conditions, I do not believe the development causes any unacceptable impacts to visual or residential amenities and provides an acceptable parking provision. As such, I recommend planning permission be granted.

10. RECOMMENDATION – GRANT Subject to the following conditions:

- (1) The use of the garage hereby permitted as a hair salon shall be restricted to the hours of 9.30am – 5.00pm Tuesday to Friday and 9.30am – 1.00pm on Saturdays and shall not take place at any time on Mondays, Sundays or Bank Holidays.

Reason: In the interests of the amenities of the area.

- (2) The premises should be operated only in accordance with the statement provided by the applicant on 13th December 2021.

Reason: In the interests of the amenities of the area.

- (3) The premises shall be used for the purpose of a hairdressers and for no other purpose, including any other use in Class E of Schedule 2 to the Town and Country Planning (Use Classes) Order 1987 (as amended), other than if reverted to a use for purposes incidental to the enjoyment of No 15 Stangate Drive as a dwellinghouse.

Reason: In the interests of the amenities of the area.

- (4) The use hereby permitted shall only be for the benefit of the applicant, and such use shall cease if the applicant no longer occupies the dwelling at 15 Stangate Drive.

Reason: In the interests of the amenities of the area.

- (5) Other than the applicant, no staff shall be employed at the premises hereby permitted.

Reason: In the interests of the amenities of the area.

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2021 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance:

The application was acceptable as submitted and no further assistance was required.

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2018 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

