

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 24 JULY 2023

APPLICATION NO:
P/2023 /0335

LOCATION:
5 LINDLEY GARDENS LLAY
WREXHAM
LL12 0QS

DATE RECEIVED:
28/03/2023

COMMUNITY:
Llay

DESCRIPTION:
NEWID DEFNYDD ADEILAD
ALLANOL I SALON HARDDWCH AC
EWINEDD / CHANGE OF USE OF
OUTBUILDING TO BEAUTY AND
NAIL SALON

CASE OFFICER:
JP

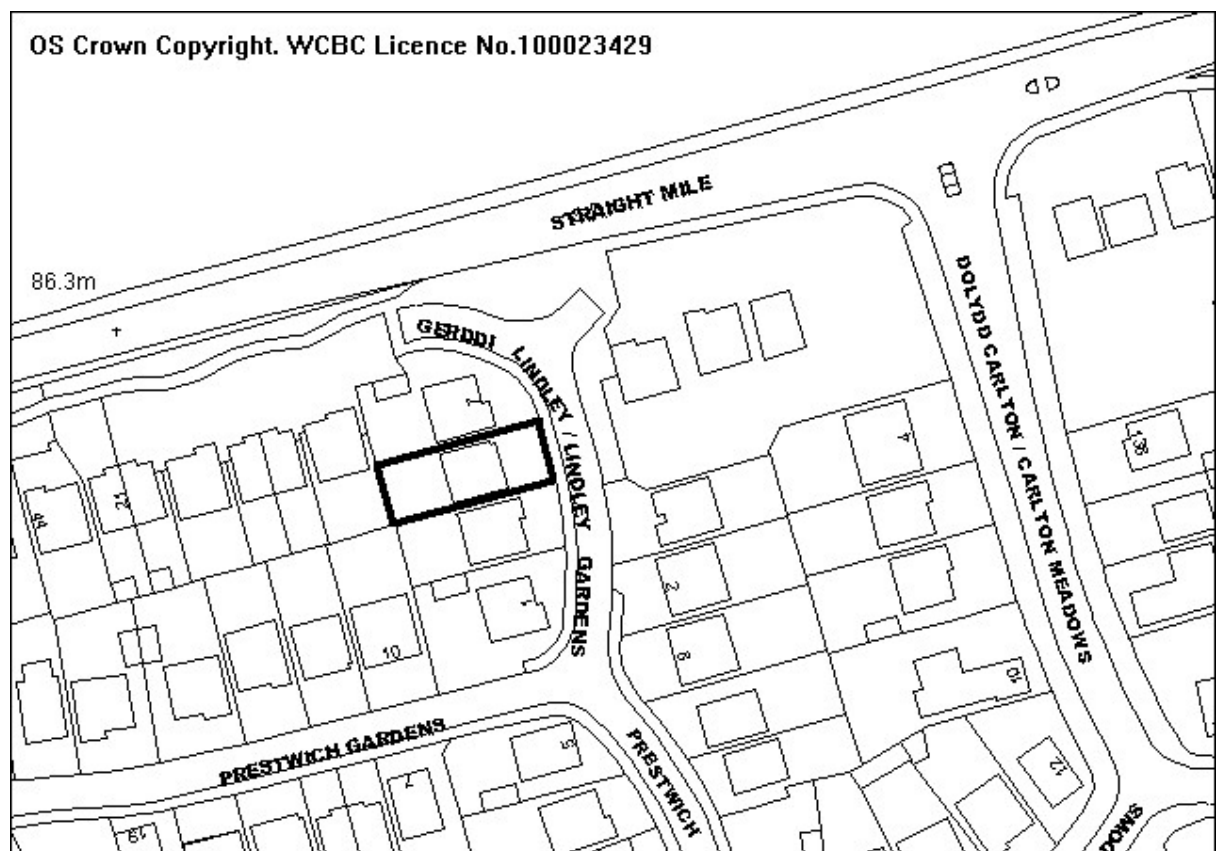
WARD:
Llay

AGENT NAME:
MRS BETHAN CLARK

APPLICANT(S) NAME:
MRS BETHAN CLARK

THE SITE

The application site comprises a detached two-storey dwelling, of brick construction under a dark grey tiled roof. Off-road parking is accommodated within the site served by a double driveway, with a private curtilage extending to the rear, which is bound by 1.8m high close-board fencing.



PROPOSAL

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 24 JULY 2023

The application seeks permission to change the use of an outbuilding into a beauty/nail salon to be operated by the applicant. The outbuilding to which the application relates is situated in the south-west corner of the rear garden. It is of timber construction with a mono-pitch felted roof and is 4.7m long, 3m wide and has a maximum height of 2.3m.

The building is accessed via an existing gate and pathway to the west side of the dwelling. It is not intended that the building would have any utility connections other than electric. The applicant intends to enter into a waste disposal contract with a local company to ensure safe removal of any business waste. It is stated that the hours of operation of the business would be 9:00am to 18:00pm Monday to Friday and 10:00am to 15:00pm on Saturdays. The building would contain 1no. treatment bed and 1no. nail desk, and there would be no additional employees.

HISTORY

None relevant to this proposal.

DEVELOPMENT PLAN

Wrexham Unitary Development Plan

Outside of settlement. Policies GDP1 and T8 apply.

Emerging Local Development Plan

Within settlement. Site allocated for housing. Policies DM 1, H1 and T1.

Local Planning Guidance

LPG 16 – Parking Standards

CONSULTATIONS

Community Council

Expresses serious concerns about increased traffic and parking because the site is amongst residential properties. The Community Council note the property has a double drive only.

The Community Council have also commented that:

- The dimensions of the proposed building contains no indication of height - only length and breadth;
- The plans appear to have overlooked water supply and other utilities; There is concern where these services will come from; and
- Given the proposed size of the structure it is concerning this is going to be right in the middle of a totally residential area, as opposed to similar facilities already in existence in Llay, which are far more suitably located

Local Members

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 24 JULY 2023

Councillor Bryan Apsley raises the following concerns:

- The fact that the application is proposing that a Beauty and Nail salon is to be run from outside an average sized house.
- That traffic/parking issues will probably will occur, including parking on pavements.
- The dimensions of the building that is proposed to be used for the salon.

Councillor Robert Walsh notified 2/6/2023. No comments received.

Public Protection Officer

Raises no objections and recommends the inclusion of conditions in relation to hours of operation and noise limits.

Highway Officer

Raises no objection to a temporary planning permission to allow the impact to be monitored.

The Highway Officer advises that providing an additional space within the site would allay concerns over parking however it is acknowledged that other properties will have family and friends visiting and generally parking on the roadside.

Natural Resources Wales

Raises no objection

Neighbours

The owners/occupiers of 4 nearby properties notified 6/6/2023.

1 comment received in support of the application subject to a request that parking be accommodated within or directly outside the site to prevent obstruction to neighbouring driveways.

SPECIAL CONSIDERATIONS

Background: The outbuilding was erected within the allowances of permitted development and therefore falls outside of the scope of the application because it does not require planning permission. The application therefore only seeks permission for the use of the building as a beauty salon.

Residential Amenity: In acknowledging the position of the building within a predominantly residential area, regard is given to adjacent living conditions. Given the small scale nature of the business and the proposed opening hours of 9:00 hours – 18:00 hours Monday to Friday and 9:30 hours – 15:00 hours Saturdays, the impact upon residential amenity in terms of nuisance would be negligible. Conditions could be imposed to limit these opening hours and also to ensure that clients visited the property on an appointment basis only to limit comings and goings. This would not lead to unacceptable noise levels. In addition, the Public Protection Officer has recommended a condition be

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 24 JULY 2023

imposed that requires noise levels do not exceed pre-existing background levels.

The windows and door which serve the building face into the garden of the host dwelling so do not give rise to any concerns about loss of privacy. A close-board fencing around the site provides an adequate degree of screening.

For the reasons outlined above and subject to the imposition of suitably worded planning conditions, it is considered that the proposal would not harm the living conditions of the occupiers of neighbouring dwellings. As such, it complies with the requirements of GDP1 of the adopted Unitary Development Plan and Policy DM1 of the draft Local Development Plan.

Highway Safety: The site provides off road parking for 3no. vehicles. This is considered to be an acceptable level to accommodate the demand associated with the family living at the application property and for clients visiting the salon.

Furthermore, due to the small scale nature of the proposed development, and operating on an appointment basis only, it is considered that there would not be a significant increase in traffic generation to the area.

Having regard to the above, the proposal would not cause detriment to highway safety and therefore complies with policy T8 of the Unitary Development Plan and would not conflict with policy T1 of the draft Local Development Plan.

Other: Notwithstanding the above assessment, should Members have concern in respect of parking and traffic or indeed noise and disturbance, they may wish to consider the granting of a temporary permission which will allow the LPA to retain a degree of control over and to monitor the site.

CONCLUSION

The proposed development would not give rise to residential amenity or highway safety concerns and therefore complies with the relevant UDP and draft LDP policies.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) received 2nd June 2023 and as contained within the application documentation.
2. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
3. The rating level of any noise generated by reason of this development shall not exceed the pre-existing background level at any time. The noise levels shall be determined at nearby noise sensitive premises, and

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 24 JULY 2023

measurements and assessment shall be made in accordance with BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound.

4. The salon hereby approved shall be operated on an appointment basis only.

5. The operating hours of the use hereby permitted shall be restricted to:
Monday - Friday 9:00 hours - 18:00 hours
Saturdays 10:00 hours - 15:00 hours
Sundays and Bank Holidays - No operation.

REASON(S)

1. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.

2. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

3. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

4. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

5. In the interests of protecting adjacent living conditions in accordance with Policy GDP1 of the adopted Wrexham Unitary Development Plan.
