

10 Bridge Road, Chatburn, Lancs, BB7 4AW

PLANNING SUPPORT STATEMENT

for

**Change of Use of, and alteration to, ground floor of premises from
residential (Class C3)**

To

Independently accessed, commercial Class E c (iii) (Dog grooming salon)

By

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Introduction

This Planning Support Statement is intended to accompany the planning application for Change of Use of the ground floor of No10 Bridge Road, Chatburn from its present Class C3 Use as (part) dwellinghouse to use as a dog grooming parlour (Business Use Class E), leaving the remainder (first floor) of the existing dwelling to remain in residential use, independently accessed from the existing doorway into the rear yard.

The application premises are located within the centre of the village and are contained within an existing terrace of properties which front directly onto Bridge Road - which serves as a local distributor (the majority of through traffic being directed along the A 59 Chatburn bypass). Chatburn is a sustainable settlement with a mix of local shops and services (as well as dwellings) grouped in the village centre, including the Brown Cow public house located immediately across the road from the terrace containing No 10.

The terrace itself is already a mix of residential and businesses serving the local community, with two Class E (professional services) premises at its northern end and a hot food takeaway at the southern end (ie, immediately adjoining No 10). Other business uses in the immediate vicinity include a further public house, an ice cream parlour, a butcher's and a general store/post office - with the village church and primary school located a further short distance away.

The village centre does not have a public car park but residents and visitors are able to park on the streets without difficulty. However, The Brown Cow public house, under the control of the applicants, does have a generous surfaced car park which has recently been relined to provide 26 parking spaces with a further three staff spaces available.

Access to the application premises is currently gained from the front door adjoining the Bridge Road pavement and also from a separate access at the rear onto a private shared courtyard/footpath. The private space also contains space for refuse storage bins.

The Planning Proposal

The applicants are owners and licensees of the adjacent Brown Cow public house, at the rear of which (and contained within the overall public house curtilage) is a small, single roomed ancillary building which for the last four years has been utilised by their daughter as a dog grooming business serving primarily the local community in Chatburn and its immediate surroundings. The business is now successfully established but requires extra space to provide further improvements, namely:-

- more spacious grooming area
- a separate area in which to accommodate a waiting pet

- a more suitable electrically operated rising bath for washing
- a drying cabinet
- a staff toilet

Customers do not wait with their pets. Drop-off or collection is generally on foot, given the local nature of the business but, if by car, this can either be through on-street parking (as happens with all the other businesses in the centre) or parking space during the day would be available (for customers on an informal basis) on The Brown Cow car park immediately across the road. Customers usually make an appointment for the grooming service so pet drop-off and collection only takes a minute or two.

The pet grooming salon would utilise the existing front door to the premises, whilst the rear door would provide dedicated residential access to the first floor flat. The premises would be reconfigured and improved, internally on this basis. No external alterations (other than general maintenance and the small sign for the grooming salon) will be required.

This application is the resubmission of recent application reference 3/2023/0543 which similarly sought planning permission for the proposed Change of Use but which was refused for the single reason that the applicant has failed to provide sufficient information with respect to the impact of noise arising from the proposed change of use. In making its decision the Council considered the broader aspects of the proposal but raised no policy objections to the principle of business use within the village centre, to highway safety, flood risk, or on conservation grounds.

In resubmitting the application, the applicant has included additional information with regard to the physical alteration of the ground floor, particularly in relation to any noise queries (cf appendix "Acoustic Insulation Assessment and Specification"). That acknowledges that works will have to be undertaken to create the independent flat at first floor level, those complying with statutory Building Regulations, including extra protection to comply with fire safety requirements.

Those measures are sufficient to ensure that the occupier of the first-floor flat and the immediately adjacent dwellinghouse at No 12 will not be inconvenienced by the proposed village centre dog grooming business. The adjacent premises at No 8 is already a busy commercial food takeaway business which has operated successfully in the village centre for many years and without complaint.

The noise report which is appended to this Statement confirms that the equipment associated with the grooming business does not generate a degree of noise which would create a nuisance. Indeed the equipment is consistent with a normal domestic level or with a normal village centre small business use such as hairdressers or beauty salon.

The predicted maximum levels are :-

Dog hair drying cabinet	75dB
(Standard hair dryer	80 - 90 dB)
Washing machine	75dB
Clippers	70dB
Vacuum cleaner	70 – 80 dB,

These falling well within normal domestic characteristics and not expected to give rise to any amenity impact upon neighbours.

We are unsure if a comparable assessment was recently made by the Council in respect of application 3/2023/0117 for a dog grooming salon at 36 King St, Whalley when planning permission was granted subject to operating hour restrictions, notwithstanding that the premises immediately adjoined a dwellinghouse on one side (No 38), adjoined a commercial property on the other and had a residential flat above – very similar to the 10 Bridge Road situation – although no record of such exists on the application file which makes no reference whatsoever to noise concerns associated with a local dog grooming use.

In considering that application, no noise issues were raised by the Council or neighbours and no noise assessment was required to support the proposal. No noise condition was applied to the Decision Notice.

In all other respects the application now under consideration at Chatburn is consistent with the details supplied for application 3/2023/0543, including confirmation of the restricted business hours which would apply.

Adopted Planning Policy

The Core Aim of the Council's development plan is its focus upon sustainable development - directing new development and investment wherever possible to its sustainable settlements. Whilst Clitheroe, Longridge and Whalley are defined as the principal settlements to which the majority of new business and residential development will be directed, Chatburn is one of nine Tier 1 Villages selected as a focus for secondary development.

Policy DMR3 confirms support for a thriving local economy and guides retail development outside the main settlements in a general manner but has no specific policies in relation to Tier 1 Villages.

However, Policy DMB1 confirms support for business growth and the local economy - especially within existing settlements - providing no environmental problems are caused.

Policy DMG1 establishes a series of controls governing the precise manner in which new development must take place, relating to:-

- a high standard of building design
- compatibility with existing development and land uses
- suitable density, materials and layout
- safe access and parking
- no adverse effect on the amenities of the surrounding area and
- avoiding environmental impact

The planning application is submitted on the basis that the proposed dog grooming use falls within Use Class E, being " provision of a service principally to visiting members of the public, - any other services which it is appropriate to provide in a commercial, business or service locality" [Class E c(iii) - Use Classes Amendment Regulations 2020].

Prior to the 2020 Amended Regulations, a dog grooming use would have been considered as sui generis but it now falls within the, above, general classification within broader commercial Use Class E, being a use which sits comfortably within a service centre environment and which, because of its low intensity, would have no adverse impact upon the environment or local amenity.

That interpretation has been tested, on Appeal, (APP/R5510/X/22/3290784), although more in relation to the principle of previous sui generis smaller business uses rather than specifically a 'dog grooming salon'. Nevertheless, the same principles apply.

The 2022 Appeal focused upon whether a tanning salon use which had traditionally (pre 2020) been regarded as sui generis now fell within broader Use Class E. The application site was an existing business use (Class E, restaurant) with adjoining service centre commercial uses and neighbouring residential properties. The Inspector, noted, in her Decision Letter, that :-

10. Article 3(1) of the Use Classes Order establishes that the use of a building for any other purpose in the same class shall not involve development of the land. In this case the appellants consider that a tanning salon use also falls within Class E, and that consequently the use of the former restaurant unit for the tanning salon would be lawful because it would not amount to development. The Council does not consider that a tanning salon falls within Class E because such a use has been held to be a use which is sui generis.

In her Decision Letter the Inspector concluded

16. The onus is on the appellants to provide evidence to demonstrate that the tanning salon use falls within Class E. The appellants say that the tanning salon will be open to visiting members of the public either on an appointment basis or walk-in trade. To that extent the proposed use falls within Class E because it provides a 'service to visiting members of the public'. Given the immediate site context, which is overtly commercial, the tanning salon also meets the description in Class E of a 'service which it is appropriate to provide in a commercial, business or service locality'.

17 In the circumstances of this particular case and acknowledging the generally more flexible approach advocated by government in respect of 'town centre uses', I find that the proposed use falls within Class E of the UCO.

22. For the reasons given above I conclude, on the evidence now available, that the Council's refusal to grant a certificate of lawful use or development in respect of confirmation that Unit 5, The Old Dairy is within Use Class E and that the proposed tanning salon is within Use Class E and that the tanning salon can lawfully occupy Unit 5 at 5 Old Dairy Lane, Ruislip HA4 OFY was not well founded and that the appeal should succeed.

The proposed grooming salon at 10 Bridge Road will be open to visiting members of the public either on an appointment basis or walk in trade and is located (with appropriate identification signage), within a busy village centre containing a range of commercial and service uses, (plus residential development as one would expect in a traditional village setting). Its Use therefore falls within Use Class E.

Planning Considerations

The application proposes the relocation of a small local business in order to improve its facilities, increase its presence in the village centre and improve its ability to service the needs of the local community. The intention would be to utilise the ground floor of the existing premises as a Class E use, with the first floor remaining in residential use (as a one-bedroom flat independently accessed from the courtyard at the rear).

Whilst the Council's economic policies direct the majority of new or improved businesses to the main settlements the application is not a proposal which would be better directed to the nearby main settlement of Clitheroe (which already has adequate established pet grooming facilities). The policies envisage adequate secondary facilities to serve local needs - those being sustainably sited within the

settlements which they serve. The existing dog grooming use at the rear of The Brown Cow (which the proposal would relocate/replace) confirms there is a local need to serve Chatburn and its immediate surroundings, within easy access (especially by walking) for its customers.

The village centre location has already proved highly suitable for the existing dog grooming use, with no recorded problems relating to access, parking or impact upon other properties (including dwellings) nearby. Chatburn is a sustainable service village and its centre is already characterised by a mix of residential and business uses. The application proposal would be consistent with that mixed character.

Adequate on street parking would continue to be available but customers would be directed to the availability of a parking space on the adjacent Brown Cow car park for drop-off and pick-up purposes on an informal basis should the need arise.

The dog grooming use would be staffed at all times by an experienced groomer so would not lead to a noise nuisance associated with an unsupervised or misbehaving pet. The intention is for a small (daytime) business with one pet being groomed and, usually, a further pet waiting. Turnover is estimated at 5-9 pets a day (daily average being 6), consistent with this being a very local service and probably consistent with (or less than) the recently approved Whalley dog grooming parlour.

The business generates very little waste, with any trimmings capable of being bagged on a weekly basis and deposited in the commercial bins of the adjacent Brown Cow PH, under the control of the applicant. Domestic rubbish would continue to be contained within the RVBC bins at the rear, with collection as existing.

The proposal would therefore have no adverse impact upon land uses within the village centre, upon local amenities or upon traffic safety and thus would comply with NPPF and the development plan, (particularly with adopted policy DMG1.)