

DELEGATED

**AGENDA NO
PLANNING COMMITTEE
06 August 2025
REPORT OF ASSISTANT DIRECTOR OF
INCLUSIVE GROWTH AND DEVELOPMENT**

24/2109/RET 4 Alford Lane, Stockton on Tees, TS19 0QP

Retrospective application for the change of use of the exiting detached garage to an aesthetics business (sui generis).

Expiry Date: 6 August 2025

SUMMARY

Planning permission is sought on a retrospective basis for the change of use of the detached outbuilding to an aesthetics business. According to the supporting statement, services include dermal fillers, anti-wrinkle treatments, skin facials, vitamin injections, fat dissolving, skin analysis/consultations, skin tag removal and PRP (Platelet-Rich Plasma) treatments. The business operates Monday – Friday 9am – 2:30pm and Saturdays 10am – 4pm, by appointment only.

The application has generated a total of 31no letters of objection and 19no letters of support following neighbour consultations. No objections have been raised by statutory consultees.

The application site relates to a detached outbuilding, a former garage, within the rear garden of 4 Alford Lane, which is within a residential estate of Stockton. The application has been assessed in full, and it is considered that the development does not result in any significant conflict with the policies of the Local Plan or relevant chapters of the NPPF and there are no technical reasons why the proposed scheme is deemed to be unacceptable in planning terms in which to justify refusal of the application.

In accordance with the Councils scheme of delegation, the application is to be determined by Planning Committee due to the number of objections received to the proposed development.

RECOMMENDATION

That planning application 24/2109/RET be approved subject to the following conditions and informatives;

Approved Plans

01 The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number
SBC 0001 Site Location Plan

Date Received
03 January 2025

Reason: To define the consent.

02 Opening Hours/ Number of Customers

Notwithstanding the submitted information, the outbuilding to the rear of the property is permitted to operate for the use as a aesthetics business Monday- Friday between the hours of 09:00 - 17:00. No working shall take place on Saturdays, Sundays or Bank Holidays. The number of appointments or clients visiting the site shall be restricted to no more than six appointments per day, with only one client at anyone time during the permitted hours of operation only.

Reason: In the interests of residential amenity.

Limitation of Use

- 03 The change of use hereby approved shall be used solely as an aesthetics business (use class sui generis) and for use by the applicant only, with no other commercial use permitted or additional staff members permitted. The outbuilding shall be returned to a use incidental to the main dwelling house when the permitted use ceases or the property is sold.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of sustainable development.

Waste Disposal

- 04 All clinical waste shall be kept secure within the clinic and separate from general household waste. The waste shall be suitably disposed of by an accredited waste disposal management company.

Reason: To ensure appropriate means of waste disposal.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application.

BACKGROUND

1. Application reference S1731/76 was submitted in 1976 for the erection of car port to the side of the property. The application was approved on 10th September 1976
2. Application reference 90/2647/P was submitted in 1990 for the erection of a detached garage. The application was approved on 15th February 1991.
3. Application reference 20/2348/FUL was submitted in 2020 for the erection of a two-storey extension to side, insertion of four roof lights to front and dormer window to rear. Erection of part two storey and part single storey extension to rear, dormer extension to side and the introduction of one rooflight to rear. The application was approved on 22nd March 2021.
4. Application reference 21/2655/FUL was submitted in 2021 for the erection of new mono-pitched roof to existing detached garage (to include garage conversion). The application acknowledged that the garage was to be used in association with the aesthetics business. The application was approved on 17th January 2022.
5. A non-material amendment, reference 20/2348/NMA to planning approval 20/2348/FUL was approved on 25th January 2023.

SITE AND SURROUNDINGS

6. The application site relates to 4 Alford Lane; a detached residential dwelling located in the Whitehouse Farm estate in Stockton on Tees. The property lies close to the entrance of Alford Lane, a quiet, residential cul-de-sac, comprising mainly of bungalows, with the exception of the application property and its neighbour to the south, no 2 Alford Lane, which are two storey dwellings.
7. The application property is of a modern appearance having recently undergone extensive extensions and alterations under previous planning permissions, including the erection of a two-storey extension to the side/rear, provision of new mono-pitch roof over the detached garage (set to the rear of the property and now converted) and application of render to the property façade. The front garden has been paved and more recently a drop-kerb installed providing vehicle parking for up to 4 no vehicles. Given the width of the driveway, it is however considered that up to 6no vehicles could achieve parking.
8. 4 Alford Lane is flanked by residential dwellings to either side, no 2 to the south and no 6 to the north with the rear garden abutting the gardens of no's 2 and 3 Chatsworth Court to the east. No 67 Newstead Avenue also abuts the rear garden to the northeast.

PROPOSAL

9. The applicant contacted the Council in June 2021 to ascertain whether planning permission would be required to operate an aesthetics business from home. Based on the information provided at that time advising that working hours would be one day per week with a maximum of 2no clients, the Council took a view that this would be ancillary to the residential use whereby planning permission would not be required.
10. Following the establishment of the business from home, the applicant applied for planning permission, reference 21/2655/FUL in October 2021 for the alteration and conversion of the existing detached garage to undertake aesthetic treatments in association with the applicants' business.
11. It is understood that the level of activity previously considered under permission 21/2655/FUL had increased and an Enforcement complaint was received on 9th August 2023 to consider whether the increased working hours had resulted in a material change of use.
12. The applicant advised the Council that the business which operates at 4 Alford Lane 'DermaPharm Aesthetics' includes treatments such as dermal fillers, anti-wrinkle treatments, skin facials, vitamin injections, fat dissolving, skin analysis/consultations, skin tag removal and PRP (Platelet-Rich Plasma) treatments. The business operates on an appointment only basis, Monday – Friday 09:00 – 14:30 and Saturdays 10:00 – 16:00 with no working on Sundays and Bank Holidays.
13. Based on the above working hours, the Council considered that it would be over and above what would be deemed as ancillary for a C3 residential use in terms of home working and that a material change of use had occurred. Typically, an aesthetics business would fall under Use Class E (c)(iii) 'other appropriate services in a commercial, business or service locality', however, as this is within a domestic setting, use class E wouldn't be applicable and it would therefore be considered sui generis.
14. This application has therefore been submitted following the Councils assessment of the business activities taking place and the need to regularise this through the planning process. Planning permission is therefore sought on a retrospective basis to regularise the aesthetics business being undertaken at the property.

CONSULTATIONS

15. Consultees were notified and the following comments were received.

16. **Highways Comments**

Parking has been provided for the proposed aesthetics business; no highways objections are raised.

17. **Environmental Health Comments**

No objection providing there are no chemicals or noisy machinery being used as part of the aesthetics business and subject to restriction on hours and working days.

PUBLICITY

18. Neighbours were notified and 31no. letters of objection were received which includes 11no proforma letters and 13no proforma letters which contain additional comments. Comments have been summarised below.

- The use of the gym as a clinic has resulted in contentious and irresponsible parking from some clients, reducing space for pedestrian access and causing obstructions.
- The parking could obstruct emergency vehicles.
- A lot of clients turn up early which leads to increased parking demand and clients waiting around outside for their appointment.
- The aesthetics business is becoming more popular, and concerns are raised regarding future parking problems.
- There is often general waste overflowing from the applicants' bin
- The cited working hours on the website are 9am-6:30pm, seven days a week not as stipulated in the application details. Clients also visit on the weekend.
- Alford Lane is a quiet residential area of bungalows, with the majority being for older people. The use of one of the properties as a popular business does not align with the street and wider estate.
- There are plenty of shops and retail units more suitable for this business to operate within which wouldn't affect our residential amenity.
- Planning permission should have been granted in advance of the business being set up.
- Neighbours have endured continuous building works on site and excess traffic and parking for this facility.
- The business generates issues of noise.
- The property is located close to Whitehouse Farm Primary School which adds to the chaos of the estate roads.
- What provisions are in place for medical disposal, such as syringes?
- Concerns are raised that support comments have been received from non-residents of the estate.
- Concerns are raised that the aesthetics clinic has devalued our property.
- Drainage and sewerage should be considered.

19. In support of the application, 19no. individual letters have been received. Letters are from the applicants' clients, family and friends; however, it is acknowledged that none of the letters of support are from the neighbouring properties of Alford Lane. Comments in the support letters advise that there have been no issues with respect to parking at the property and concerns have been raised with respect to the use of CCTV cameras pointing in the direction of the

application property. Comments regarding racial motivation of certain objectors have also been raised.

PLANNING POLICY

20. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Stockton on Tees Borough Council Local Plan 2019.

21. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

22. National Planning Policy Framework

The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means;

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

23. Local Planning Policy

The following planning policies are considered to be relevant to the consideration of this application.

Strategic Development Strategy Policy 1 (SD1) - Presumption in favour of Sustainable Development

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,
- Specific policies in that Framework indicate that development should be restricted.

Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:

- a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
 - b. Landscape character of the area, including the contribution made by existing trees and landscaping;
 - c. Need to protect and enhance ecological and green infrastructure networks and assets;
 - d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
 - e. Privacy and amenity of all existing and future occupants of land and buildings;
 - f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
 - g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
 - h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.
2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.
4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.

Economic Growth Policy 2 (EG2) - Managing Centres

Maintaining Vitality & Viability

1. The Council will seek to maintain and enhance the vitality and viability of all centres in the Town Centre Hierarchy, as defined in Policy SD4 and represented on the Policies Map. Proposals for the change of use, or redevelopment of premises, away from retail (Use Class A1) will only be supported where it can be demonstrated that:

- a. The proposal will contribute to the centre's vitality and viability and does not detrimentally impact on the retail function of the centre; and
- b. The proposal does not result in the unjustified loss of a key retail unit which due to its size, location or other characteristic is an important component of the retail function of the centre; and
- c. The proposal does not result in an over-concentration of non-retail or evening economy uses to the detriment of the vitality and viability of the centre; and
- d. Proportionate evidence has been provided to demonstrate that the premises are no longer required for retail purposes.

2. In addition to the above, within town, district and local centres the Council will support proposals for food and drink (Use Classes A3, A4 and A5) and other evening economy uses providing the activities in the area do not result in a harmful over-concentration of that use, either as a proportion of the centre overall or as a cluster within the centre.

Stockton Town Centre

3. The Primary Shopping Area, as defined on the Policies Map, will continue to be the main town centre shopping location in the Borough. The Council will aim to retain and enhance the retail function of the town centre whilst seeking a reduction in the number of vacant ground floor commercial units. In addition to the criteria above, the vitality and viability of the Primary Shopping Area will be maintained and enhanced by:

- a. Directing proposals for hot-food takeaways (Use Class A5) and uses that operate principally outside daytime hours away from the Stockton Primary Shopping Frontage, with significant clusters of these uses resisted elsewhere in the town centre; and
- b. Resisting development proposals that would result in a harmful over-concentration of non-retail uses to the detriment of the vitality and viability of the Primary Shopping Area; and
- c. Resisting proposals for ground floor residential development within the Primary Shopping Area; and
- d. In order to consolidate the retail offer of the centre, encouraging proposals which reduce the proportion of retail uses (Use Class A1) in the wider town centre, outside the Stockton Primary Shopping Area, that provide opportunities for a wider variety of town centre uses, including offices (Use Class B1), hotels (Use Class C1) and assembly and leisure (Use Class D2).

District Centres

6. The Council will, where appropriate, work with the owners of Billingham and Thornaby District Centres and local communities to develop schemes to maintain and enhance the vitality and viability of these modern district centres, particularly where the proposal will generate significant regeneration benefits for the wider centre.

Economic Growth Policy 3 (EG3) - Protecting Centres

1. Subject to the scale and catchment of the proposal, retail (A1 use class) development will be directed to suitable and available sites and premises in defined centres, as identified on the Policies Maps, in the following sequence:

- a. Stockton Town Centre Primary Shopping Area; then,
- b. Sites within the boundaries of Stockton Town Centre; then,
- c. Sites within the ground floor shopping frontages of the District Centres; then,
- d. Sites within the boundaries of the District Centres; then,
- e. Sites on the edge of Stockton Town Centre which have the opportunity to connect to the defined Primary Shopping Area; then,
- f. Sites on the edge of the District Centres which have the opportunity to connect to the District Centre's main shopping areas or frontages; then,
- g. Sites within the Local Centres; and finally,
- h. Sustainable out-of-centre locations within the limits to development.

2. Other main town centre uses will be directed to suitable and available sites and premises in the following locations, subject to the scale and catchment of the proposal:

- a. Town and District Centres, and for office development only, Principal Office Locations; then,
- b. Sites on the edge of the Town and District Centres, which are well served by public transport and have a high likelihood of forming links with the centre; then,
- c. Within the boundaries of the Local Centres; then,
- d. Sustainable out-of-centre locations within the limits to development.

3. Proposals will only be supported in sequentially less preferable locations where it has been demonstrated that there are no available and suitable sites or premises in sequentially preferable locations, and that a flexible approach to scale and format has been applied.

4. Town centre use proposals on out-of-centre sites, which demonstrate that the format and scale of the development means it cannot be located in a town centre location, will be the subject of restrictive conditions to protect the future vitality and viability of the Boroughs town centres.

Economic Growth Policy 6 (EG6) - Small Scale Facilities

1. Proposals for small-scale town centre uses and hot food takeaways designed to meet a localised catchment will be directed to defined town, district and local centres first, and then if no suitable premises are available, to existing available and suitable premises in other existing shopping parades in the catchment area of the proposal.

2. Within strategic residential, and general employment developments, where no similar facilities exist within reasonable walking distance, developers should provide new shopping, service and community facilities of a scale which meet the day-to-day needs of future occupiers, subject to taking into account the range, choice and accessibility of existing local provision.

3. Support will only be given to the development of, or change of use to, small-scale (under 150sq m) town centre uses which would meet a local need outside of defined town, district, and local centres and shopping parades where they:

- a. Are of a scale and function intended to serve a localised catchment area;
- b. Do not have a significant adverse impact upon the vitality and viability of any designated centre; and
- c. Are situated within the limits to development.

4. Outside of town, district and local centres, development proposals for new hot-food-takeaways, betting offices or public houses, will be resisted where they result in a harmful over-concentration of those uses.

MATERIAL PLANNING CONSIDERATIONS

24. The key considerations of this application are:

- The principle of development.
- Character.
- Impact on Residential Amenity.
- Highway implications.
- Other matters.

Principle of Development

25. The detached outbuilding to which this development relates is a former garage, which is located within the rear garden of 4 Alford Lane, within a residential estate in Stockton, outside of the defined retail centres. Concerns have been raised from objectors noting that Alford Lane is a quiet residential estate which does not align with a popular business and that there are plenty of vacant units, more suitable for this business to operate.

26. Planning policies EG2 and EG3 of the Local Plan seek to protect and maintain the vitality and viability of the Boroughs defined centres, ensuring a town centre first approach is taken to direct new town centre uses. Policy EG3 and the NPPF, states that a sequential assessment should be provided for such development outside of the designated town centre locations to

assess whether potential available and suitable premises within existing centres could be considered as alternative sites to locate the proposal.

27. The applicant is a prescribing Pharmacist and previously worked full time prior to starting a family. During pregnancy the applicant trained in aesthetics with a view of working reduced hours to facilitate a home/work life balance.
28. Despite an objection raising concerns that the business should have been approved by the Council prior to it being set up, the applicant is acknowledged to have made contact with the Council to ascertain whether Planning Permission would be required to operate from a room of the applicant's home and then went on to gain planning permission for the conversion of the garage for use of business purposes. The applicant was subsequently advised that Planning Permission would not be required due to the limited working hours planned.
29. Over the course of time the business expanded and the applicants' working hours increased to Monday – Friday 9am to 2:30pm and Saturdays 10am – 4pm. Despite this increase, the applicant considers that the working hours aren't as such to warrant the need for a full-time commercial premises, hence the rationale behind the original conversion of the domestic garage for such purposes, to enable flexible working arrangements to take place from home.
30. In this instance, whilst an aesthetics business is typically Use Class E in recognition that it is a town centre use, as it's within a domestic setting, it is therefore deemed sui generis. The Council accepts that the business had been lawfully operating from the premises previously and it is only due to the increase in activity whereby planning permission is now required. The Council also accepts that despite the increase in activity, the applicant does not require a full-time commercial unit due to the operational needs of the business, particularly as the applicant has advised that there are times during the school holidays where the business is not in operation. As a result, the requirements of Policy EG3 to consider other suitable locations via a sequential assessment would not be deemed appropriate in this case.
31. Policy EG6 relates to the provision of small-scale facilities (under 150 sqm.) and whilst it still promotes a town centre first approach, it does permit development which is of a scale and function intended to serve a localised catchment area and where it would not have an adverse impact on the vitality and viability of any designated centre and providing it is within the limits for development.
32. By virtue of the nature and scale of the business, and whilst acknowledging the concerns of the objectors, it is considered that the development does not adversely impact upon the closest designated centre, which in this instance would be Stockon Town Centre and does not therefore undermine the overall vitality and viability therein. The development is located within a sustainable location, within the development limits, where access is readily available including through public transport modes.
33. Accordingly, there is no direct conflict with the policies of the Local Plan or the NPPF and the principle of development is therefore considered to be acceptable in this location.

Character

34. Paragraph 131 of The National Planning Policy Framework states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

35. Moreover, planning policies SD3 and SD8 within the adopted Local Plan encourages high standards of design. They set out new development should be suitable to the context of the surrounding area and be of an appropriate style, proportion, and materials. Consideration should be given to the context of the surrounding area and the need to respond positively to the quality, character, and sensitivity of the surrounding public realm.
36. When considering character and appearance of an area, it does not solely rely on its visual appearance; it can also be determined by the nature of the development and how it creates a sense of place. During the consultation exercise, objection comments have been received stating that the residential property isn't suitable for business purposes as it doesn't align with the residential nature of the area.
37. As previously explained, the works to the outbuilding were approved under permission 21/2655/FUL, however, it must be noted that the outbuilding is not prominently set within the street scene, it is located to the rear of the property, in the northeast corner of the garden, which is enclosed by high level timber fencing. By virtue of its location, it is only marginally visible from the street scene, from only glimpsed views. The outbuilding occupies a small footprint of approximately 44 sq.m and has been converted to a high standard to include the provision of a set of patio doors to the front (facing towards the street, westwards) and a window to the side (facing south).
38. In the context of the existing dwelling, the outbuilding is not a dominant feature, and its footprint and general scale is not excessive. The outbuilding still remains ancillary to the main dwelling in terms of footprint and design, and the business use is also considered to be acceptable with regards to the context of the surrounding area when considering the relatively low numbers of customers per day. Whilst it is acknowledged that activity levels have increased from its former use, this is not considered to go significantly beyond the scope of a busy domestic property. The change in this context is not considered to significantly harm the character of the surrounding area as to warrant a strong enough reason for refusal in this regard. The working hours/days and subsequent number of clients per day is a matter which can be secured by a condition to prevent any undue impact occurring. It must also be noted that the outbuilding has been converted in a way that it can easily be returned for uses incidental to the main dwellinghouse when no longer required for business purposes. Again, this matter can be controlled by condition.
39. In considering the above, the use of the outbuilding for the aesthetic business has not adversely impacted upon the character and appearance of the property or the wider area, thereby complying with the aims of Policies SD3 and SD8 of the Local Plan in this regard.

Impact on adjacent residential properties

40. In respect of the neighbouring properties, planning policies SD3 and SD8 seek to provide sufficient levels of privacy and amenity for all existing and future occupants of land and buildings, while guidance within the Householder Alterations and extensions SPD provides further clarity over the impacts that development can have on neighbouring occupiers.
41. Chapters 12 and 15 of the NPPF, requires a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing development from contributing to, or being put at unacceptable risk from unacceptable levels of pollution, including noise.
42. First and foremost, it should be noted that the building has been lawfully used as part of the aesthetic business therefore the only matters to be considered in regard to amenity, relates to whether the increase in the business activities has had any further detrimental impact on the neighbouring properties residential amenity.

43. Concerns to this regard have been raised from objectors which includes concerns relating to building works, excess traffic and parking and noise generation. Concerns have been raised regarding the provisions for medical disposal of equipment such as syringes.
44. The applicant has advised that the business generates a maximum of 6 clients per day, but a standard day would typically be between 2 – 5 clients, working between the hours of 9am and 2:30pm (Monday to Friday) and 10am – 4pm on Saturdays. No appointments take place on a Sunday or Bank Holiday. By the very nature of the business, each appointment would vary in time depending on the treatment, however, it is advised that they tend to vary between 15 – 45 minutes and that there is always sufficient time between appointments to prevent overlapping and clients congregating outside.
45. Clients access the outbuilding along the northern side of the property, a narrow walkway adjacent to no 6 Alford Lane. The boundary treatment is high-level timber fencing delineating the two properties and although there are windows along the side of no 6 facing across to the side of no 4, they are noted to be obscurely glazed, which could suggest that they don't serve habitable rooms. Notwithstanding this, the number of clients which attend appointments per day are not deemed to be excessive or of a volume which significantly harms the amenity of the neighbouring property as a result of their comings and goings. They are not deemed to be significantly different to that of a busy domestic property.
46. The Environmental Health Unit have been consulted on the application and note the hours and days of operation and subsequently have raised no objection in this regard. As the development is within a residential setting, it is considered necessary to impose a condition on the days of operation to ensure the working hours don't go above and beyond those currently stipulated and to ensure that no more than 1 client attends the property at any one time, with a limit of up to 6 clients per day. Furthermore, a condition has been applied that the business is restricted to the applicant only with no additional staff members permitted.
47. It is noted that the nature of the business would increase activity levels for this property with one of those days being on a Saturday. The number of daily customers (maximum of 6) is not considered to significantly increase activity levels to the detriment of surrounding residential properties. However, as this activity would fall within a residential setting, it is considered necessary to impose a condition on the days of operation to Monday-Friday to ensure the nearby residents can reasonably enjoy their amenity space on a weekend when most people would not be at work.
48. A condition has been attached to limit the operation hours between 9am - 5pm Monday - Friday with no more than 1 customer visiting the property at one time and no more than 6 customers per day. Subject to this condition being imposed to ensure no harmful impacts are created at unsociable hours, it is not considered the business would generate demonstrable harm with regards upon the amenity of neighbouring residents.
49. In considering matters relating to pollutants as a result of the treatments being undertaken, whilst acknowledging the existing use of the outbuilding, the applicant advises that there are no additional noisy machines or equipment being used or chemicals being omitted, which result in unacceptable risk or harm to the occupiers of neighbouring properties.
50. In terms of waste disposal, the business does not generate high levels of waste, however it is separated from domestic waste by means of a grey bin and sharps bin, which is securely stored inside of the clinic. The applicant has confirmed that general waste and anything with blood contamination is disposed of within the large grey bin and sharps are disposed of directly into a sharps bin. The applicant has 2no sharps bins to cover any excess and a roll of yellow bags to use for the grey waste bin. All the waste is stored within the clinic and collected by a

company called Waste Managed. A condition has been included to ensure that the clinic waste is not merged with general householder waste and for appropriate disposal methods as detailed.

51. An objection has been raised with regards to the need for appropriate drainage; however, the outbuilding was previously converted for business use and no further drainage provision was needed at that time. The increase in activity does not warrant any improvement to the current drainage system.
52. Overall, based solely on the proposed development relating to the regularisation of the proposed use, it is considered that subject to appropriate conditions, the proposed development has not directly resulted in undue noise and disturbance to occupiers of neighbouring properties and therefore does not conflict with the policy aims of the Local Plan or the NPPF.

Highway implications

53. Local Plan Policy SD8 states that new development should be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport. Paragraph 116 of the National Planning Policy Framework sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe.
54. The primary objection from neighbouring properties relates to highway safety related matters. Concerns have been cited around irresponsible parking and manoeuvrability from some clients causing general obstruction and possible obstruction for emergency services. Concerns around clients turning up early, leading to further parking demand and waiting outside for their respective appointments. There are also concerns raised that the business is notably popular and parking demand may grow further. Concerns are cited that the property is located close to Whitehouse Farm Primary School, which further adds to the chaos of the estate roads.
55. As previously noted, the property has recently undergone extensive alterations, which has resulted in the driveway being unavailable for use due to the presence of building materials, a skip and general clutter associated with construction works. Inevitably this has led to parking occurring on the street, from the applicant and family, construction workers and clients of the business, which is wholly recognised to have caused disruption to neighbouring properties. The building works however are now complete; the driveway is now available for use and can hold up to 6no vehicles, and a drop-kerb has recently been installed. This should notably reduce any parking demand previously experienced on Alford Lane, thus addressing a large proportion of the objections raised.
56. The Highways Transport and Design Manager has reviewed the application noting the objections received and the available car parking spaces for use. As a result, no objections have been received with respect to the aesthetics business.
57. Overall, the proposed development would comply with the provisions of SD8 as the development can demonstrate sufficient, safe and satisfactory access and it would not be deemed to result in an unacceptable impact which would be deemed severe, thereby according with Chapter 9 of the NPPF. Accordingly, the proposal is deemed acceptable in terms of highway safety.

Other Matters

58. By virtue of the nature of the development proposed, it would not result in an increase in population and is therefore outside of the scope for Nutrient Neutrality consideration.
59. The proposal is of a retrospective nature and therefore Biodiversity Net Gain would not be applicable.
60. An objection has been raised regarding the overflow of general waste from the applicants' bin. This is not a material consideration of this application. Consideration should also be given to the recent construction works undertaken at the property which are now complete. The disposal of clinic waste has been previously addressed and should have no bearing on the volume of household waste.
61. Concerns are also raised that the working hours cited on the website are 9am-6:30pm, seven days a week, not as stipulated in the application details. Comments go on to state that clients also visit on the weekend. In this regard, the premises of which the business operates is small in scale and the Council is satisfied that the working hours as proposed are appropriate and proportionate and have been conditioned as such as part of this consent. Should the applicant operate outside of these hours, this will be a matter for the Council to consider enforcement action.
62. Some of the comments provided relate to other matters, which are outside of the material considerations of this application such as the use of CCTV cameras, devaluation of properties, racial motivation of certain objectors etc. They have no bearing in the outcome of the decision.

CONCLUSION

63. In view of the assessment above, it is considered that the proposed development would not result in any significant conflict with the policies contained within the Stockton on Tees Local Plan or the relevant chapters of the NPPF and there are no technical reasons why the proposed scheme would be deemed unacceptable.
64. In planning terms, the proposed development is considered acceptable in all other regards and is therefore recommended for approval subject to those planning conditions set out in the report.

Director of Finance, Development and Business Services
Contact Officer Jill Conroy Telephone No: 01642 528179

WARD AND WARD COUNCILLORS

Ward	Bishopsgarth & Elm Tree
Ward Councillor	Councillor Hugo Stratton
Ward Councillor	Councillor Emily Tate

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Supplementary Planning Documents

SPD3 – Parking Provision for Developments - Oct 2011