

Application Number:	2021/0142/FUL
Site Address:	21 Hawkshead Grove, Lincoln, Lincolnshire
Target Date:	2nd July 2021
Agent Name:	None
Applicant Name:	Mr Gabriel Freiria-Celis
Proposal:	Change of use of existing ground floor utility room to veterinary clinic for the treatment of injured racing greyhounds (Use Class E) (Retrospective).

Background - Site Location and Description

The application is for the change of use of a property's former utility room to a veterinary clinic for the treatment of injured racing greyhounds. The property is a two storey detached residential property located on a cul de sac on Hawkshead Grove. The business was subject to an enforcement investigation which resulted in the submission of the application retrospectively.

The application is brought to Planning Committee as 5 objections have been submitted against the application.

Site History

No relevant site history.

Case Officer Site Visit

Undertaken on 4th May 2021.

Policies Referred to

- Policy LP26 Design and Amenity
- National Planning Policy Framework

Issues

- Impact on Residential Amenity
- Impact on Visual Amenity
- Impact on Highway Safety

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2018.

Statutory Consultation Responses

Consultee	Comment
Highways & Planning	Comments Received

Public Consultation Responses

Name	Address
Mrs Margaret Panton	27 Hawkshead Grove Lincoln Lincolnshire LN2 4XB
C Tempest	13 Hawkshead Grove Lincoln Lincolnshire LN2 4XB
Mr And Mrs Little	31 Hawkshead Grove Lincoln Lincolnshire LN2 4XB
Mrs Joan Smith	29 Hawkshead Grove Lincoln Lincolnshire LN2 4XB
Mrs Elizabeth Maxwell	110 Searby Road Lincoln LN2 4DT

Consideration

Policy Background

Policy LP26 of the Central Lincolnshire Local Plan 'Design and Amenity' is permissive of alterations to existing buildings provided the siting, height, scale, massing and form relate well to the site and surroundings, and duly reflect or improve on the original architectural style of the local surroundings; and use appropriate high quality materials, which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability. In relation to both construction and life of the development, the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development. Whilst in this case the change of use does not consist of physical alterations to the property, Policy LP26 is still relevant in the consideration of the use and the impact on the wider neighbouring properties.

Residential Amenity

The applicant has converted a former utility room into a treatment room for care of injured racing greyhounds.

5 objections to the application have been received. These are attached in full to this report. The concerns raised by neighbouring residents include: the application will set a precedent for further businesses from home, parking issues, increased activity, concern that if planning permission is granted the existing activities will increase and other animals will be

treated at the property.

Officers have discussed the use at length with the applicant. The applicant is a Veterinary Surgeon who began treating dogs who were injured during racing at his home. He is a licensed Vet at Nottingham Greyhound Stadium and his home business is specifically related to this and therefore no other animals are treated at his home. The dogs are treated in his front utility room only and the rest of the property remains in residential use. The former utility room is used for operations and for recovery. The injured dogs are mostly picked up by the applicant himself and returned in his van although are sometimes collected by a re-homing charity. The room can house 3 dogs at a time. In some circumstances, follow up care is required (to remove castings, or orthopaedic devices) so a van that belongs to a trainer or a re-homing charity will visit in order to bring the dog back for this treatment.

The applicant stated that a maximum of 3 dogs at a time would be treated, whilst it wouldn't be likely that more than 10 would be treated in a week, as an orthopaedic operation would take approximately 4 to 5 hours minimum. The only delivery that this activity generates is medical supplies and other materials relating to the business which is normally one a week or every other week. The applicant has also confirmed that he is registered for storing controlled drugs with the Veterinary Medicines Directorate.

The use is one that is specific to the applicant's job role and interests and not one that is open to the public. When comparing the use to that of other businesses from home, such as a hairdresser which would likely see a number of comings and goings during a day, it is considered that this business would see fewer than this.

The applicant has agreed to conditions on the application to ensure that the business remains at a level which does not unduly disrupt residential amenity now or in the future, these include: the treatment of the dogs shall only take place within the front room as indicated on the submitted drawing, there shall be a maximum of 3 dogs on the premises in relation to the business at any one time and that the business shall be for the treatment of greyhounds only and for no other animals. It is also considered necessary to remove any permitted change of use through the Use Class Order and require the use to be a personal permission to the applicant only, rather than a consent that runs with the land, given the specific nature of the business. Officers are satisfied that with these restrictions in place the impact on the residential amenities of neighbouring dwellings would be minimal and the application would therefore be in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

Visual Amenity

No external alterations are proposed. There are French doors to the front where the treatment room is accessed, and these are obscure glazed. The doors are domestic in nature and it is not apparent that the room is used in any other use from outside of the property. Officers are satisfied there would be no impact on the visual amenities of the area in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

Parking & Highway Safety

The property has a driveway which is capable of accommodating up to 4 cars. Given the level of activity proposed, it is not considered that the business would demand more parking than is available on the existing driveway. In any case, the Highway Authority have

assessed the proposal and are satisfied that the proposal would not result in an unacceptable impact on highway safety stating that "the development proposals will generate some additional movements to the property compared with a residential dwelling, however, the increase is slight and it is therefore not possible to raise an objection based on traffic impact, in accordance with the NPPF."

Application Negotiated either at Pre-Application or during Process of Application

Discussions with the applicant throughout the application process.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The activity generated by the business is considered to be at a level that is acceptable, subject to conditions which will limit the impact on the residential amenities of neighbouring dwellings.

The proposal is considered to be appropriate for its location and would not adversely harm visual amenity or the residential amenities of nearby occupants in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

Application Determined within Target Date

Yes.

Recommendation

That the application is granted conditionally subject to the following conditions:

Standard Conditions

- 01) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

- 02) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings listed within Table A below.
The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the

application.

Reason: To ensure the development proceeds in accordance with the approved plans.

Conditions to be Adhered to at all Times

- 03) The land or premises to which this permission relates shall be for the treatment of injured racing greyhounds only and for no other purpose within the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In order to protect residential amenity.

- 04) The permission shall ensure for the benefit of Mr Gabriel Freiria-Celis only and shall not ensure for the benefit of the land.

Reason: The site would not normally be considered appropriate for this development but personal permission is being granted due to special circumstances put forward in the application.

- 05) The business hereby approved shall be for the treatment of greyhounds only and for no other animals.

Reason: In order to protect residential amenity.

- 06) There shall be a maximum of 3 dogs in relation to the business at the premises at any one time.

Reason: In order to protect residential amenity.

- 07) The treatment of the dogs through the use hereby approved shall only take place within the room indicated on the submitted drawing (Drawing No. FREIRIA 03).

Reason: In order to protect residential amenity.