
Appeal Decision

Site visit made on 21 August 2017

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th September 2017

Appeal Ref: APP/A5270/W/17/3168828

95 Allenby Road, Southall, London UB1 2EZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr B Jassal against the decision of the Council of the London Borough of Ealing.
 - The application Ref 166341FUL, dated 14 November 2016, was refused by notice dated 1 February 2017.
 - The development proposed is the conversion of existing rear outbuilding into beauty parlour.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on the character and appearance of the area and on the living conditions of the occupiers of neighbouring properties with particular regard to privacy, noise and disturbance.

Reasons

Character and appearance

3. The appeal site is located in a predominantly residential area with very few non-residential uses in the surrounding area. The existing building, to which the proposed change of use relates to, is located at the rear of an end terrace property. There is a shared alleyway to the side of the property from Allenby Road which allows access to the rear yard of the property and the existing building. The building is currently used as a domestic store with some gym equipment.
4. There is an existing beauty business operating out of the dwelling utilising the 'box' room on the first floor. Given the size of this room the business has a limited impact on the surrounding area. The Appellant has stated that the business is a beauty salon which undertakes body massage, facial massage, and bridal henna application on both hands and feet.
5. The proposed change of use would involve the creation of three rooms within the outbuilding together with a reception area and the existing toilet. Given the level of accommodation, to my mind, this could invariably lead to a significant intensification of the current use.

6. The development of a beauty salon to the rear of an existing dwelling, in a primarily residential area, would not follow the established residential character or pattern of development in the area. Furthermore, given the location of the outbuilding it would not have a street presence and would rely on access either through the existing dwelling, or more likely via the shared alleyway. All of the above issues lead me to the view that the proposed development would give rise to harm to the overall character of the area.
7. For the above reasons, the proposed beauty salon would harm the established pattern of residential development in the area contrary to Policies 7.4 and 7.6 of The London Plan (2015) and Policies 7.4, 7A and 7B of the Ealing Development Management Development Plan Document (2013) (DMDPD) which amongst other matters seek to ensure that development complement the character of the surrounding area.

Living conditions

8. Given the location of the proposed beauty salon, it would allow for customers to have easy access to the rear of the existing dwelling. As indicated by the Appellant, access to the salon from the alleyway would make more sense. However, from my site visit this alleyway did not appear to be in regular use and as such the introduction of the salon use in the outbuilding would invariably involve an intensification of the use of the alleyway.
9. Given the juxtaposition between the alleyway and the adjoining rear garden at 97 Allenby Road, including the existing boundary treatment, the increase in the use of the alleyway would lead to a loss of privacy for the occupiers of No 97.
10. Turning to the potential for increased noise and disturbance I acknowledge that the operation of the use itself is unlikely to have any significant impact. However, the increase in the amount of comings and goings from the premises will have some impact on the occupiers of the adjoining residential properties. However, given that access via the alleyway would only be of a pedestrian nature, this is not a determinative factor in isolation. However, it does add weight to the harm I have already found on the living conditions of the occupiers of No 97.
11. In addition to the above, it is unclear from the application whether there would be a distinction between the garden area of the existing dwelling and the proposed salon. Whilst the rear garden is also entirely covered in paving slabs it does provide a private amenity space for the occupants of the host dwelling.
12. Whilst it may be possible to separate the domestic and commercial uses by the addition of further fencing (or other such boundary treatment), this would inevitably add to the overall harm to the character of the area. In coming to that view I acknowledge that the Appellant lives in the host property and currently operates the business from the 'box' room. However, this does not outweigh the harm I have found.
13. For the above reasons the development would harm the living conditions of the occupiers of both 95 and 97 Allenby Road contrary to Policies 7.4 and 7.6 of the London Plan and Policy 7B of the DMDPD which amongst other matters seek to ensure that the development achieves a high standard of amenity and good levels of privacy for the occupants of residential properties.

Conclusion

14. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR