



Appeal Decision

Site visit made on 18 June 2019

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 25th July 2019

Appeal Ref: APP/N4205/W/19/3225404

24 Ridgeway, Blackrod, Bolton BL6 5AF

- 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 Mike Hampson against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 05135/18, dated 13 December 2018, was refused by notice dated 07 February 2019.
 - The development proposed is conversion and extension of an out house to form a hair dressing salon.
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Decision

1. The appeal is dismissed.
2. I have used the description of the development from the application form in the banner heading above. The decision notice and appeal form describe the development as conversion and extension of utility to enable change of use from residential (use class C3) to hairdressing salon (use class A1). I have therefore determined the appeal on this basis that the proposed change of use relates only to the proposed extension and the existing utility room in the link building.

Main Issues

3. The main issues are the effects of the proposed development on:
 - i) The living conditions of the occupiers of nearby properties, with particular reference to noise and activity; and
 - ii) The safe and efficient operation of the highway network in proximity to the appeal site.

Reasons

Living Conditions

4. 24 Ridgeway is a 2 storey, linked semi-detached property at the head of a cul-de-sac in a residential area.
5. The proposal is a single storey extension to the rear of the property and the conversion of the existing utility room, in order to create a hairdressing salon. The extension would have double-glazed windows in the rear elevation and blank side elevations. The extension, and hence the salon, would be located on

- the shared boundary with the adjacent linked property. It would be accessed via the existing doorway to the utility room which opens from the link corridor.
6. The submitted plans show 2 hair washing stations and 4 workstations. Notwithstanding that the appellant has indicated there would be a maximum of 2 appointments at a time, attended to by 2 members of staff, the proposed scheme has capacity to accommodate a larger number of both customers and staff. The proposal therefore has the potential to generate significantly more activity in and around the property than would normally be associated with a residential dwelling of this size.
 7. While there is limited information about the levels of noise that would be generated, hair dressing salons, and particularly those that cater for several customers at a time, are often characterised by the noise from hair dryers, amplified music, and raised voices. Given the quiet residential location, it seems likely that the noise associated with the use of the premises would be noticeable to neighbouring occupiers, particularly during warmer weather when windows and doors would be expected to be open and when neighbours would be using their gardens.
 8. I accept that some residents, particularly those of working age, would be likely to be away from their property during the day. However, other residents such as those who are retired or those with young families might be expected to be at home for at least part of the day. On that basis, the increased activity and associated noise would be likely to result in disturbance to the detriment of the living conditions of the occupiers of neighbouring dwellings.
 9. I have given some thought to potential mitigation that might be controlled via planning conditions, such as restrictions on the hours of operation, the installation of air-conditioning equipment or noise insulation. However, there is little evidence before me to demonstrate that the likely harm to the living conditions of neighbouring occupiers would be adequately mitigated, particularly given the scale of the proposed salon and the proximity of neighbouring residential property.
 10. Therefore, by virtue of its scale and location, the proposed change of use of the property would result in significant harm to the living conditions of the occupiers of nearby residential properties, with particular regard to noise and disturbance. It would conflict with the development plan, including Policy CG4 of Bolton's Core Strategy Development Plan Document Adopted March 2011 (the Core Strategy). This requires, among other things, that development should be compatible with surrounding occupiers, protecting amenity, and that it should not generate unacceptable nuisance, odours, fumes or noise.
 11. The second reason for refusal concerning highway matters also refers to the effect of vehicular movements associated with the proposed development on the living conditions of neighbours. I consider this aspect of the proposal's effect on the living conditions of the occupiers of nearby properties as part of the following section.

The safe and efficient operation of the highway

12. The appeal scheme would not have any off-street parking provision. While some customers might walk to and from the premises, the majority of journeys would be likely to be made by car. On this basis the proposals would result in

an increase in vehicular movements and an increase in the demand for on-street parking spaces.

13. I note the suggestion that there would be a maximum of 3 customers at the change over times between appointments, and that there would be no requirement for staff parking. However, if used to capacity, the proposed salon could accommodate a greater number of customers and additional staff. The demand for parking spaces over the lifetime of the proposals could therefore be significantly higher than is currently envisaged by the appellant. Moreover, there would in any case be a need for residential parking which would be likely to coincide, at least in part, with customer parking.
14. It is suggested that the majority of parking in the area currently occurs from 18:00 to 08:00, with a limited number of vehicles during the day when the premises would be operational. Nevertheless, I observed a large number of vehicles parked in the cul-de-sac, including in the turning head and on the narrow approach road to the turning head. While the head of the cul-de-sac does provide ample space for vehicles to manoeuvre, it has not been demonstrated that there is on-street parking capacity to absorb the additional demand for parking spaces arising from a salon of the size proposed and over its lifetime.
15. I acknowledge that the front garden could be converted to provide for 2 or 3 off-street parking spaces. However, given the scale of the proposal, and the need to also provide residential parking for the property, I am not persuaded that the provision of 2 or 3 spaces, presumably with a loss of at least one on-street space to allow for access, would be sufficient to accommodate the increased demand for parking. Moreover, the use of the front garden for parking would be likely to require vehicles to reverse in or out which, in combination with the increased concentration of vehicles around the appeal property, would be potentially hazardous to more vulnerable residents in the area, including the young and the elderly.
16. I therefore find that the proposed 4-workstation hairdressing salon would be likely to result in a significant increase in vehicular movements and there would be an increased demand for on-street parking in an area that is already well-used for residential parking. On this basis it would be likely to result in harm to the safe operation of the highway in the vicinity of the appeal site and it would be detrimental to the living conditions of nearby residential occupiers. The proposal would be in conflict with the development plan, including Policies P5, S1 and CG4 of the Core Strategy. These require, among other things, that development should take account of accessibility and make provision for parking, having regard to road safety, and protecting the amenity of surrounding occupiers.

Other Matters

17. While I accept that the neighbouring occupiers have not objected to the scheme, they have not written in support and there have been interested party objections to the proposal. The absence of objections from the neighbours is a matter that carries limited weight in my assessment. Moreover, I am in any case required to be mindful of the proposals over their lifetime and of the ways in which future occupiers might reasonably be envisaged to use their properties.

18. I accept that the proposed extension might be similar in size to a residential extension and that it would be subservient to the host property. However, this is not a benefit of the proposal which seeks a commercial use of the building. In this regard, I also note the suggestion that the proposed extension could be amended to meet the requirements to be permitted development and then a temporary permission granted for the commercial use. However, no plans have been submitted to illustrate any such proposal and I have considered this appeal on the basis of the scheme that was applied for and which was considered by the Council.

Conclusion

19. For the reasons set out above, the appeal should therefore be dismissed.

Sarah Manchester

INSPECTOR