
Appeal Decision

Site visit made on 24 September 2019

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 October 2019

Appeal Ref: APP/N1920/W/19/3231745
30a Aldenham Road, Radlett WD7 8AX

- 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 Mrs Alicia Tibble against the decision of Hertsmere Borough Council.
 - The application Ref: 19/0525/FUL, dated 25 March 2019, was refused by notice dated 19 June 2019.
 - The development proposed is the change of use of flat from residential (C3) to sui generis (beauty/cosmetic treatments).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council amended the description of the proposed development to 'the change of use of flat from residential (C3) to sui generis (beauty/cosmetic treatments)'. I consider that this is a more precise definition of the proposal and have therefore determined the appeal on this basis.

Main Issue

3. The main issue is the suitability of the site as a location for a business offering beauty and cosmetic treatments, with particular reference to the requirements of national and local planning policies.

Reasons

4. The appeal site consists of a two-storey building that features an existing beauty salon on the ground floor, and a self-contained flat on the first floor. The surrounding land uses include several commercial activities, including some with flats on the upper floors, in addition to a variety of dwellings.
5. Given that the appeal site is in proximity to a significant number of residential properties, the current use of the upper floor of the building is compatible with the nature of the surrounding uses. There is no evidence before me that is indicative of residents of the flat not experiencing appropriate living conditions.
6. The site is near to schools as well as the centre of Radlett, which contains an array of commercial activities and leisure facilities. Furthermore, within Radlett, there is access to public transport routes in the form of a railway station and several bus stops. Accordingly, the existing dwelling is sustainably located and is therefore in a suitable location.

7. Whilst the evidence before me is not indicative of the existing dwelling being made available for occupation on affordable tenures, I am mindful that the National Planning Policy Framework requires the provision of a mixture of dwelling types in order to meet the needs of all members of the community. In consequence, the loss of a two-bedroom flat, which could provide a home for a small household, is contrary to this objective.
8. Although the building would not be demolished, the development would result in the loss of a dwelling, which the appeal proposal does not seek to replace. The appellant has suggested that in the event of planning permission not being forthcoming, the use of the flat would change to storage. I cannot be certain if this would happen or indeed if planning permission would be required for this. In any event, I have determined this appeal on its individual planning merits and on the basis that planning permission has been sought for a business offering beauty and cosmetic treatments.
9. I therefore conclude that as the proposed development would result in the net loss of a satisfactory residential dwelling, the proposal represents an unsuitable location for the intended use. Accordingly, the development would not comply with Policy SADM3 of the Site Allocations and Development Management Policies Plan (2016), which, amongst other matters, seeks to ensure that developments do not result in the net loss of residential units or accommodation.

Other Matters

10. It is apparent that the operation of a business offering beauty and cosmetic treatments is unlikely to cause notable harm to the living conditions of the occupiers of neighbouring properties. However, this matter is only one of the issues that must be considered and therefore does not overcome the harm as previously identified.
11. I have had regard to the appellant's intention to provide an array of services within the proposed development. Although this may be of some benefit to the local community, such benefits are unlikely to be significant and would be outweighed by the harm arising from the proposed development in the form of the loss of a suitable dwelling.
12. I acknowledge concerns raised by the appellant regarding difficulties in securing appropriate tenants for the existing flat. However, this is not notably indicative of the flat being unsuitable for residential use and does not render the site unsustainably located.

Conclusion

13. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR