
Appeal Decision

Site visit made on 20 July 2020

by Paul Singleton BSc MA MRTPI

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

Decision date: 30th July 2020

Appeal Ref: APP/Y3425/W/20/3247442
19 Avondale Circle, Stafford ST18 0YZ

- 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 Miss Molly Harvey against the decision of Stafford Borough Council.
 - The application Ref 19/30866/COU, dated 25 June 2019, was refused by notice dated 21 November 2019.
 - The development proposed is change of use from garage to beauty room.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from garage to beauty room at 19 Avondale Circle, Stafford ST18 0YZ in accordance with the terms of the application, Ref 19/30866/COU, dated 25 June 2019, and the plans submitted with it, subject to the following conditions:
 - 1) Adequate wastewater drainage shall be provided where required from wash basins and any areas of the site that are subsequently affected by the development. Appropriate measures shall be taken to ensure that any new drainage or alterations to existing drainage shall not adversely affect any existing drainage systems.
 - 2) The premises shall only be open to customers between the hours of 09:30am and 15:30pm on weekdays and 09:30am and 12 noon on weekends and Bank Holidays.

Procedural Matter

2. The application was made retrospectively after the change of use had already taken place. No commencement condition is, therefore, required.

Main Issue

3. The main issue is whether the absence of dedicated parking provision for customers of the beauty room would result in an unacceptable risk to the safety of users of the public highway and the adjacent private parking area.

Reasons

4. Policy E1 of the Plan for Stafford Borough 2011-2031 (Local Plan) supports opportunities for home working where this does not have adverse impacts on the surrounding area and residential amenity. No amenity objections have been

- raised and the Council's sole objection is that there is no dedicated, off-street parking for customers.
5. The appellant advises that the business is operated on an appointment only basis and can accommodate only one customer at a time. As the beauty room has been created within a single domestic garage its small size (only 13.6 square metres) is likely to prevent any future change from this one-customer mode of operation. The parking demand generated by the change of use can, therefore, be expected to be very modest.
 6. There is ample room on the driveway for two large cars to park without causing an obstruction to the access to the parking court for Numbers 11-17 Avondale Circle or to pedestrians, vehicles or cycles using the road. It would be undesirable for vehicles to park on the pavement or highway immediately outside the property because of its location on the bend and at the access to the parking court. However, the Council has not produced any evidence that this has occurred since the beauty room was opened early in 2019 and no objections to the application have been received from neighbouring residents.
 7. The Council does not have an adopted parking standard for a beauty room use but that for semi-detached homes with up to 3 bedrooms is for 2 spaces. This standard is to meet the expected demand from both residents and visitors. The appellant advises that, as her partner is normally away from home during the working day, one space on the driveway would usually be available for customer use during the weekday opening hours and there would be no need for customers to park on the highway. I agree with the appellant that the effect of such parking would not be greatly different from the use of the second space by someone visiting the property for a social rather than a business purpose.
 8. At times when the second space is not available, the many public parking spaces within Bayswater Square, which are only a 1-2 minute walk from the appeal premises, would provide a suitable option for customer parking. On the assumption that a good proportion of the clients are repeat customers, visiting every few weeks, it is reasonable to expect them either to be or to become aware of the close proximity of these public spaces. Local Plan Policy T2 advises that the scope for use of conveniently available public parking in off-peak periods is one of the factors to be taken into consideration when considering whether the approved standards can be applied flexibly. This should also be a relevant consideration in this case.
 9. My observations are that the adopted residential parking standards have been adequately met in Avondale Circle where all houses have access to off-street parking, either on the driveway or in private parking courts. There is, therefore, little need for residents or visitors to park on the road although limited on-street parking is possible on some sections of Avondale Circle.
 10. Given the modest additional parking demand generated by the change of use and the availability of nearby public parking I consider that the use is unlikely to result in a large number of additional vehicles needing or seeking to park on the road in Avondale Circle. However, some limited on-street parking could be accommodated on the street without causing obstruction or an unacceptable risk to highway safety. On balance, I consider that change of use does not materially impair highway safety or traffic movement and does not conflict with Local Plan Policy T2. The proposal is, therefore, consistent with Policy E1 which

provides positive support for home working as a way of assisting the local economy.

Conditions

11. The Council's Environmental Health Officer has requested that a condition be attached to require that adequate wastewater drainage be provided for washbasins in the beauty room. I agree that this is appropriate to ensure that adequate provision is made. The weekday opening hours are at times when many residents in the street are likely to be out and the Saturday and Sunday morning opening hours are likely to coincide with family shopping and leisure trips by a number of households. I accept that these opening hours are likely to avoid times of peak parking demand in the street and surrounding area. However, I consider it appropriate to attach a condition restricting opening times to the hours specified in the application so as to minimise the risk of parking issues arising. This is necessary in the interests of safeguarding highway safety.

Conclusion

12. For the reasons set out above I conclude that the appeal should be allowed.

Paul Singleton

INSPECTOR