



Appeal Decision

Site visit made on 29 September 2020

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2020

Appeal Ref: APP/V2825/W/20/3254653

110A Harlestone Road, Northampton NN5 6AB

- 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 Andy Barber against the decision of Northampton Borough Council.
 - The application Ref N/2020/0227, dated 23 February 2020, was refused by notice dated 5 June 2020.
 - The development proposed is the change of use of existing dwelling (Use Class C3) to part dwellinghouse with hairdressing studio (sui generis).
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of existing dwelling (Use Class C3) to part dwellinghouse with hairdressing studio (sui generis) at 110A Harlestone Road, Northampton NN5 6AB in accordance with the terms of the application, Ref N/2020/0227, dated 23 February 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan
 - A4 NTS Existing & Proposed Floorplan
 - 101 – Proposed Front Elevation.
 - 3) The use as a hairdressing studio hereby permitted shall be carried out only in the specified part of the premises (i.e. the existing garage as indicated in the submitted plan 'A4 NTS Existing & Proposed Floorplan'). The rest of the premises shall be used as a dwellinghouse and for no other purpose.
 - 4) No part of the site (defined by the red line shown on the approved Location Plan) shall be used for the parking of customers' vehicles. The operator of the hairdressing studio hereby permitted shall maintain and retain a register of appointments (to include dates and times of appointments, and customers' names and addresses), to cover at least the most recent eight weeks on a rolling basis. The information in the register shall be made available for inspection by the local planning authority at any reasonable time upon written request.

Procedural Matter

2. I have taken the description of the proposed development from the Council's decision notice as this provides a clearer and more concise description than that provided on the application form. This description is also reflected on the appeal form. I have considered the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed change of use on highway safety, with particular regard to car parking and access arrangements.

Reasons

4. The appeal relates to a large semi-detached dwelling situated on the corner of Harlestone Road and Dallington Park Road in a predominantly residential suburban area of Northampton. The proposal is to convert the existing integral garage to form a hairdressing salon, which would be run as a business by Mrs Helen Barber who lives in the appeal property. It is anticipated that for most of the time Mrs Barber would be the sole worker in the salon, although there may from time to time be an assistant employed to carry out certain duties. The rest of the property would remain as the family dwelling.
5. The 2016 Northamptonshire Parking Standards Supplementary Planning Document (the SPD) advises that a 'standalone' hairdressing studio of the size proposed should be provided with one car parking space for customer use. The appeal site includes a large front garden and a driveway which, with space for 3 or 4 vehicles, would be able to accommodate customers' cars. It is accessed from the street via electric gates, which also serve the neighbouring dwelling at 110 Harlestone Road. Although the gates are set sufficiently far into the site that there is room for a car to wait clear of the highway while the gates open, the gateway is not wide enough for two vehicles to enter and leave the site at the same time. The position of the accessway on the inside of a bend very close to the junction of Dallington Park Road and Harlestone Road means that there is limited visibility in certain directions. In particular, on my site visit I saw that a vehicle travelling south on Harlestone Road and turning into Dallington Park Road would have only late and limited views of a vehicle waiting to enter or leave the appeal site, and vice versa.
6. There is no evidence before me of road traffic accidents having occurred as a result of the use of the accessway, and of course its present use to serve the property as a dwelling is not at issue in this appeal. However, as a result of the proposed change of use, there would inevitably be increased comings and goings over and above those which would be expected for a family dwelling. The Council is concerned that intensified use of the accessway, because of the combination of inadequate visibility, its narrow width and its siting close to a junction, would have an adverse impact on highway safety, particularly if a vehicle had to wait or manoeuvre at the junction of Dallington Park Road and Harlestone Road while another vehicle was leaving the site.
7. The number of customers visiting the hairdressing studio would be limited by the small size of the salon space, as well as by the appointment-only operating model, and there would usually be only one customer at a time visiting the property. The appellant has indicated that many of Mrs Barber's existing clients live reasonably close to the appeal site and therefore would be able to travel

other than by car. Nonetheless, over the course of a typical day it seems likely to me that several customers would arrive by car. On the basis of what I saw at the time of my site visit, I agree with the Council's view that if parking provision for customers were to be provided within the appeal site, the risk of collisions involving vehicles entering or leaving the site would be unacceptably increased. In my view, this would be particularly likely if drivers unfamiliar with the relatively narrow gateway found themselves having to carry out reversing manoeuvres in the roadway to cleanly enter the driveway.

8. There is a public car park a short distance north east of the appeal site on Dallington Park Road where, although I recognise that this only represents a snapshot, at the time of my site visit several parking spaces were available. Furthermore, although there are double yellow line parking restrictions on Dallington Park Road, I saw that plentiful on-street car parking was available on both on Bants Lane across Harlestone Road from the appeal property, and on Harlestone Road itself.
9. Taking all of these points into account, I consider that in the interests of highway safety it is necessary for a condition preventing customers' vehicles being parked within the appeal site to be imposed. I am satisfied that the limited additional parking demand which would arise from the change of use could be accommodated either on-street or in the nearby public car park without having an unacceptably harmful effect on highway safety. I return to the detail of the condition below, but in the particular circumstances of this case I consider that non-adherence to the guidance of the SPD in respect of providing on-site parking places would be justified.
10. I conclude that, subject to the imposition of a condition in respect of customer car parking, the proposal would not have a significant harmful effect on highway safety and would therefore comply with the broad aims and objectives of the National Planning Policy Framework, in particular paragraphs 109 and 110 which require development to minimise the scope for conflicts between pedestrians, cyclists and vehicles, and which indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Council's decision notice did not indicate conflict with any development plan policies.

Other Matter

11. The appeal site lies adjacent to the boundary of the Dallington Conservation Area, which is focused on the historic village of Dallington, its 12th/13th century St Mary's Church, and the 17th and 18th century buildings arranged around the village green and Dallington Brook. The proposed external alterations required to facilitate the change of use would be small in scale, in keeping with the character and appearance of the main dwelling, and largely screened from public views by the appeal property's landscaped boundaries. I am satisfied that the setting of the Conservation Area would not be harmed by the proposal.

Conditions

12. I have considered the conditions suggested by the Council and the appellant in the light of paragraph 55 of the Framework and the advice in the Planning Practice Guidance. In addition to the standard time limit condition (1), in the interests of certainty it is appropriate that there is a condition requiring that

the development is carried out in accordance with the approved plans (2). A condition restricting the hairdressing use to the former garage is necessary to prevent overdevelopment of the site and to protect the living conditions of neighbouring residents (3).

13. As I have described above, I also consider that a condition preventing customers parking within the appeal site is both necessary and reasonable in the interest of highway safety, as indeed the appellant suggested (although he did not propose a specific wording). In response to the Council's doubts about whether such a condition would be enforceable, the appellant suggested that recordings from the dwelling's existing closed-circuit television system could be made available to allow ensure that the condition could be enforced. However, this would provide only 5 days of history, and it is possible that this would provide inadequate information to allow action to be taken in respect of possible breaches of the condition. I have therefore instead included a requirement that a register of appointments is kept and made available to the Council for inspection. This would have the benefit of simplicity, ensuring that information in respect of customer visits covering a useful time period is retained and made available in an easily accessible form if required by the Council (4).

Conclusion

14. For the reasons given above the appeal is allowed.

M Cryan

Inspector