



Appeal Decision

Site visit made on 2 November 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2021

Appeal Ref: APP/J4525/W/21/3279429

4 Calshot Road, Sunderland SR5 3FA

- 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 Sarah Daniels against the decision of Sunderland City Council.
 - The application Ref 21/00040/FUL, dated 9 January 2021, was refused by notice dated 28 May 2021.
 - The development proposed is Convert garage into a semi permanent makeup business. This will include putting up a false wall and a door from the garden into the garage along with fireproof plasterboard then decorating.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether or not the proposal would lead to a highway and pedestrian safety concern; and
 - The effect on living conditions of local residents with particular regard to noise and disturbance.

Reasons

Highway and pedestrian safety

3. Located within a modern housing development, the appeal site benefits from an attached garage with the adjacent neighbour. As the garage is set back from the estate road, there is parking available in front.
4. I could see from my visit that there are a number of visitor parking laybys designed into the estate and these were heavily occupied by parked vehicles. As a consequence, there was a knock-on effect onto the local roads with on-street parking and cars mounted on the pavement within close range of the appeal site. The road through the estate was therefore obstructed.
5. I appreciate that the appellant intends to run their business in a reduced capacity to begin with, and scale up the numbers of clients after a given period of time. The proposal would however generate its own demand for parking. It has not been evidenced how appointments would be arranged, and whether or

not there would be any overlapping of clients. Therefore, local parking issues could be further amplified.

6. The appellant's garage space would be removed to accommodate the proposed business. The driveway length is limited. There is no evidence presented that two vehicles could adequately park along it. I cannot be certain that the proposal would not displace the appellant's own vehicle to elsewhere within the local area, or result in her clients parking on-street to the detriment of pedestrian and highway safety.
7. Therefore, to conclude on this main issue, the proposal would intensify parking conditions within the local area where parking levels are already stressed. It would result in harm arising to pedestrian and highway safety, and thus contrary to policies BH1, ST2 and ST3 of the Sunderland City Council Core Strategy Development Plan 2020 (CSDP) in their combined aims for development to have no adverse effect on highway safety.

Living conditions

8. The beauty processes that are proposed do not lead me to the view that they would result in excessive noise or disturbance to local residents. Any noise from the procedures would be contained within the detached building.
9. The comings and goings of proposed clients would be very limited in the early days of the business operating. The appellant explains they would increase to no more than three customers during the day. The proposed hours of business I consider to be reasonable as they would occur during regular day times.
10. Even if there was a coming and going from the sound of vehicles, voices and car radios, this would be absorbed into the local area. It would not lead to undue disturbance to local residents. For these reasons I do not consider the proposal would detrimentally harm the living conditions of local residents.
11. Therefore, to conclude, the proposed use would not result in detrimental harm arising to the living conditions of local residents by reason of noise or disturbance from visiting customers, and would therefore comply with Policy BH1 of the CSDP in its aims to protect residential amenity.

Conclusion

12. Even though I have found no harm would arise to the living conditions of local residents, it would result in a significant highway safety concern within a residential area that currently suffers from on-street parking conflict. On this basis the appeal must fail.
13. The proposal would thus lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR