

Appeal Decision

Site visit made on 1 March 2022

by Helen Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: Monday 21 March 2022

Appeal Ref: APP/L3245/W/21/3283195

26 Hollands Drive, St Martins, Oswestry SY11 3FG

- 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 Ian Heathcock against the decision of Shropshire Council.
 - The application Ref 21/02435/FUL, dated 11 May 2021, was refused by notice dated 15 July 2021.
 - The development proposed is a change of use of domestic garage to beauty parlour.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of neighbours in terms of disturbance.

Reasons

3. The appeal site concerns the middle of a block of three domestic garages to the rear of No 26 Hollands Drive, in a residential area. The door has been removed and replaced with an entrance door flanked by two windows. The appellant has operated a beauty business from a room in the dwelling previously.
4. In terms of operations, there would typically be 3 appointments a day, the longest for up to 2 hours, with others requiring in the region of 20-minutes. All appointments would be during normal working hours Monday to Friday. However, if a series of 20-minute appointments were booked during the day, this would increase the frequency of customer visits. It is also likely that the business would generate a variety of appointment bookings depending on customer demands. This would result in an increase of comings and goings on foot, cycle, and by car throughout the day than would otherwise be experienced by a typical three-bedroom household with an incidental outbuilding.
5. The appeal site is located within a quiet residential cul-de-sac that currently experiences limited pedestrian and vehicular activity. The comings and goings of the proposal would be in addition to the movement of pedestrians and vehicles in connection with the dwelling at No 26. The increase in activity and vehicle movements to the appeal property would cause disturbance to the neighbouring occupiers.
6. The appellant maintains that they operate an appointment system and that there is a dedicated parking space available for customers in front of the appeal property. Nonetheless, there is a real possibility that on occasions there would

be an overlap when one customer arrives before another has departed. The parking space could also be in use by one of the family members at No 26. This would give rise to overspill parking demand. As there is no overspill parking provision available, this would lead to customers parking on the nearby narrow streets or in the private parking spaces of neighbouring residents. It is also likely that customers will not always park in a considerate manner.

7. Although the business does not currently operate at full capacity and the owner does not employ any staff, there is the potential that the business could grow, being located in a separate building. Additional traffic would likely be generated from any increased growth of the business, such as an increased number of customer appointments throughout the day, possible recruitment of staff that would need to park, and delivery vehicles to the business premises.
8. Although I do not consider the proposal would compromise highway safety, the increased vehicle movements associated with the use and the inadequate off-street parking provision would have an anti-social impact on the residential area through potential disturbance to neighbours.
9. As the appeal property is separate from the dwelling at No 26, the beauty parlour could potentially be operated by someone not living at No 26 and would therefore negate any sustainability benefits of working from home. This could be controlled by a planning condition, together with the use as a beauty parlour, in addition to restricting its opening times. However, conditioning the number of customers or employees at the premises would be difficult to both monitor and enforce.
10. For the reasons given above, the proposal would have an unacceptable impact on the living conditions of neighbouring residential occupiers in terms of disturbance. The proposal therefore fails to accord with Policy CS6 of Shropshire Council's Core Strategy (2011), which seeks to safeguard residential and local amenities. The proposal also fails to accord with Policies MD2 and MD10a of Shropshire Council's Site Allocations and Management of Development Plan (SAMDev) (2015), which seeks to ensure developments are suitably located to respect existing amenity of residential areas.

Other Matters

11. I acknowledge the proposal would be of particular benefit to the appellant and their family in allowing them to relocate the business from the dwelling to the garage unit. However, planning decisions must be made in the public interest and therefore, such personal benefits attract little weight.
12. I note the letters of support from some of the neighbours. However, the lack of objections from neighbours is a neutral matter and cannot outweigh the harm that has been found.

Conclusion

13. The proposal conflicts with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

Helen Smith

INSPECTOR