

Appeal Decision

Site visit made on 12 March 2024

by P Eggleton BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2024

Appeal Ref: APP/V0510/W/23/3331248

67 Fordham Road, Soham, Cambridgeshire CB7 5AJ

- 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 Brian Johnson against the decision of East Cambridgeshire District Council.

- The application Ref 23/00547/FUL, dated 27 June 2023, was refused by notice dated 14 September 2023.
 - The development proposed is a change of use of the study to dog grooming.
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Decision

1. The appeal is allowed and planning permission is granted for a change of use of the study to dog grooming at 67 Fordham Road, Soham, Cambridgeshire in accordance with the terms of the application, Ref 23/00547/FUL, dated 27 June 2023, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three 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 and Floor Plan received by the council on 28th June 2023.
 - 3) The dog grooming activity shall be limited to the study as shown on the Floor Plan received by the council on 28th June 2023.

Main Issue

2. The main issue is the effect on highway safety.

Reasons

3. The proposal would result in the use of a room within the house as a dog grooming salon by the daughter of the appellant who is the house owner. It is anticipated that there would be three customers a day. The council's only concern relates to highway safety.
 4. The property has a large, gravelled frontage which can accommodate three vehicles, although a third vehicle would block access to the other parking spaces. Fordham Road is a speed restricted road that serves the houses and businesses associated with Soham. The settlement is bypassed by the A142
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- resulting in this road having the character of an access road rather than a busy through road. A bus service runs along the road. The road is relatively wide in the vicinity of the property and there are no parking restrictions outside the dwelling.
5. The property has a shared dropped kerb with its neighbour. At present, without using the neighbouring land, it is likely that a third car would have to reverse from the appeal property if three vehicles were on site at the same time. This would continue to be the case should this proposal be accepted. A car belonging to a customer would be likely to use the third parking space for drop-off and collecting, if available. Given the limited number of daily visitors, this would not significantly increase vehicle movements over and above what could reasonably be expected from a fully residential use of this dwelling.
 6. Having a customer visit may make it inconvenient for the drivers of the two other cars parked at the property but this is unlikely to be for more than short periods at drop-off and pick-up times. If the customer stays on the premises, then this may result in more manoeuvres onto the road. However, there has been no evidence presented to suggest that accessing the highway has led to any issues with regard to safety. Given the nature and width of the road, there is nothing to suggest that such manoeuvres would be problematic. If two customers were at the property at the same time, it would appear likely that the second would park on the road. The council accept that on-street parking is not unsafe.
 7. The appellant suggests that his car would not normally be at the property as it is used for commuting. In any event, this business would result in very limited levels of activity which would not be significantly greater than the normal operation of a house of this size. The change in road conditions, with regard to highway safety, would therefore be extremely limited and the council has provided no evidence to suggest otherwise.
 8. Policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 seek to reduce travel by car and require appropriate parking provision with safe and convenient access. As the property is within the settlement and on a bus route, it provides the potential for access by more sustainable means. No reference has been made to particular parking standards and I am satisfied that there is adequate provision within and adjacent to this property. There is no evidence to suggest that the access is unsafe. There would therefore be no conflict with the policies referred to by the council.
 9. No reference has been made to the council's economic policies despite the Local Plan setting out that employment development is a priority for the District Council. There is clear support from the *National Planning Policy Framework* 2023 which advises that significant weight should be placed on the need to support economic growth and productivity.
 10. The council have referred to an appeal relating to a beauty therapy room which I have assumed to be appeal reference APP/V0510/W/22/3306300 rather than the reference quoted. This relied on overflow parking on common land rather than the highway and it appears that the site could not accommodate three spaces. In any event, it is clearly different from this proposal which I have considered on its own particular merits.

11. In conclusion, the proposal would support economic activity with little impact on highway safety. As there are no other matters that weigh significantly against the proposal, I allow the appeal.
12. I have imposed conditions relating to the commencement of development and the details of the approved plans for the avoidance of doubt and in the interests of proper planning. Although different parking layouts have been submitted, this is a matter for the occupants to best suit their particular daily circumstances.
13. The council suggest that the activity be limited to between the hours of 8:00am and 4:30pm. Given the limited scale of activity at any one time, I am not satisfied that this is necessary as comings and goings are unlikely to be any more than would be expected for a family dwelling. Although not suggested by the planning officer, the environmental health officer suggests that windows and doors be kept shut at all times. Given the nature of the activity and the distance to neighbouring accommodation, this would not be necessary and would be unreasonable. A condition limiting the dog grooming activity to the study is necessary to limit the scale of the activity.

Peter Eggleton

INSPECTOR