



Appeal Decision

Site visit made on 2 July 2024

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2024

Appeal Ref: APP/K0235/W/24/3336198

15 Westbourne Road, Queen's Park, Bedford MK40 4LB

- 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 Manny Barbers against the decision of Bedford Borough Council.
 - The application Ref 23/02174/S73A, dated 29 September 2023, was refused by notice dated 11 December 2023.
 - The development proposed is the change of use of dwellinghouse (C3) to a mixed use dwelling and barber shop (sui generis).
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Decision

1. The appeal is allowed and permission is granted for the change of use of dwellinghouse (C3) to a mixed use dwelling and barber shop (sui generis) at 15 Westbourne Road, Queen's Park, Bedford MK40 4LB, in accordance with the terms of the application, Ref 23/02174/S73A, dated 29 September 2023, subject to the attached schedule of conditions.

Main Issue

2. The main issue is the effect of the proposal on highway safety and the free flow of traffic.

Reasons

3. The application is for permission for a mixed dwelling/barber shop use of No 15 Westbourne Road, a mid-terrace property in an area of similar housing to the west of the town centre. The barber shop use, which has already commenced, has replaced the 13 sq m front living room. No off-street car parking can be provided and the Council is concerned that the business generates on-street parking demand for both staff and customers which raises highway concerns. The Council's standards would normally require the provision of two spaces, one for customer and one for staff use.
4. Westbourne Road is a relatively quiet side road but has no off-street parking to serve the terraced housing on either side. There is undoubtedly a high level of demand for on-street parking but no detailed survey information is available to support the view in the officer report that 'any' increase in parking demand is 'unacceptable to highways and development control'. On the site visit a small number of spaces were noted and the nearby bus stops were being respected. Importantly, the Council has not introduced on-street parking controls, such as a resident's only parking scheme, which would indicate a serious problem.
5. The barber shop use, using a single room for just one chair, is modest and the appellant accepts that a condition limiting the business to the owner/occupier

of No 15 and precluding staff could be imposed. The property lies in a densely populated residential area where many customers are likely to arrive by foot, bicycle and bus, as must be the case for the nearby mosque and food store which also provide no off-street parking for much larger numbers of visitors. Any increase in on-street parking due to the barber shop is thus likely to be minimal with little perceptible effect on highway conditions in the area.

6. For these reasons permission for the barber shop use would have no significant effect on highway safety and the free flow of traffic. The scheme would thus comply with Policy 31 of the Bedford Borough Local Plan 2030 which requires planning applications to give particular attention to highway capacity, parking provision, safety and general disturbance to the area.
7. The Council has suggested four conditions should the appeal be allowed and these have been assessed against the relevant tests. The approved plan should be defined in the interests of certainty and a customer cycle parking space provided in the interests of sustainable transport. Conditions are also required to restrict the use to a barber shop and to limit the intensity and hours of operation given its location in a residential area. A condition to ensure the barber shop is operated by the owner/occupier of the residential premises is also necessary to avoid the potential for staff on-street parking.

Conclusion

8. Having regard to the above the appeal should be allowed.

David Reed

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plan:
Location Plan and Floor Plans Drawing 1523/P1
- 2) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without modification) the front room of the premises shall be used only as a barber shop/hairdressing salon and for no other purpose (including any other use falling within Class E of the Order, but may revert back to C3 (dwellinghouse) on cessation of the use).
- 3) The barber shop shall only operate with one client at a time and within the following working hours:
Monday – Saturday 10:00am-19:00pm
The barber shop shall be operated by the owner/occupier of No 15 Westbourne Road and there shall be no employed or self-employed staff.
- 4) Within 3 months of the date of this decision, a single cycle parking space comprising a solid wall ring, bar stand or equivalent to the front of the property shall be installed. The space shall then be kept available for cycle parking at all times.