



Appeal Decision

Site visit made on 21 January 2025

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th January 2025

Appeal Ref: APP/H0738/W/24/3356196

1 Plough Crescent, Stockton-on-Tees TS19 8GZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Katie Boyes against the decision of Stockton-on-Tees Borough Council.
 - The application Ref is 24/1662/COU.
 - The development proposed is change of use from garage to hair salon.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. An update to the National Planning Policy Framework (the Framework) has been published dated 12 December 2024 but there are no material changes relevant to the substance of the appeal.
3. The main issues have been articulated around the Council's reasons for refusal as set out on the decision notice. I am however aware that the Officer's report raises concern regarding highway safety matters such as parking etc. As this did not form part of the reasons for refusal in the decision notice and I am dismissing the appeal on other grounds, I do not find it necessary for me to consider this matter further.

Main Issues

4. The main issues are:
 - The effect of the proposed development on the character and appearance of the surrounding area; and
 - The effect of the proposed development on the living conditions of No 10 Summerville Avenue (No 10) with particular regard to noise and disturbance.

Reasons

Character and appearance

5. The appeal site relates to a two-storey, semidetached property located in a largely residential area. The existing detached garage is located to the rear of the host property and is accessed off Summerville Avenue. It is served via a shared drive with No 10, the adjacent neighbour to the north and is separated from the host property by a high fence. The relationship is one whereby the garage is viewed as

falling outside of the domestic curtilage of the host property, appearing more connected to the neighbouring property of No 10.

6. The proposed development seeks planning consent for the change of use of the detached garage to a hair salon. It is proposed to replace the existing garage door with glazing along with the addition of roller shutters. The proposed hours of operation would be 09:00 to 18:30 Monday to Friday and 09:00 to 15:00 on Saturdays with a maximum of 6 customers per day.
7. As referred to above, the garage is physically separated from the host property. Its proposed glazed frontage would be highly visible for large parts of the day and this, along with the nature of the operations would create a standalone commercialised building in a predominantly residential estate. It would therefore appear as an incongruous addition to the street scene and out of character with the wider area. I have had due regard to the security reasoning for the roller shutters and high-quality material of the glazing, but this would not alter my findings as it would still result in a commercialised building in a predominantly residential estate which would not blend in with the surroundings.
8. For the above reasons, I conclude that the proposed development would unacceptably harm the character and appearance of the surrounding area. It would therefore be contrary to Policy SD8 of the Stockton-on-Tees Borough Council Local Plan, 2019 (LP) which amongst other matters, explains that the Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the quality, character and sensitivity of the surrounding public realm. For the same reasons, the proposed development would also be contrary to paragraph 135 of the Framework.

Living conditions

9. As set out above, No 10 is the adjacent neighbour to the north and the detached garage is located on the boundary with this neighbouring property. Given the close proximity of the garage to No 10 and the nature of the operations, it would likely result in increased noise levels due to the operations such as hair dryers etc and comings and goings throughout the day both on foot and by vehicle. Although the operational hours and number of customers could be controlled by condition along with the closing of windows and doors during operation hours, this would not be sufficient mitigation. This is because the operations would be very different to what would reasonably be considered to occur within the confines of a residential dwelling nor is it expected within such a setting. It would ultimately result in noise and disturbance which does not currently exist which would be detrimental even factoring in the overall size of the building. The appellant has suggested soundproofing although I have limited detail on this, and I am not convinced that such a condition would be appropriate in this case particularly as this would not overcome matters relating to comings and goings.
10. For the above reasons, the proposed development would unacceptably harm the living conditions of No 10 with particular regard to noise and disturbance. It would therefore be contrary to Policy SD8 of the LP which amongst other matters, requires new development to respond positively to the amenity of all existing and future occupants of land and buildings. For the same reasons, the proposed development would also be contrary to paragraph 135 of the Framework.

Other Matters

11. I appreciate the letter of support provided from the neighbouring property. However, this would not be sufficient to justify the appeal as a lack of objection does not mean that the proposed development would not be harmful. The appellant refers to other businesses being successfully integrated into residential areas although I do not have any specific detail of such other businesses to be able to comment further. I have also considered this appeal based on its own merits.
12. The overall scale of the building may remain consistent with other outbuildings in the area, but this would be a neutral matter in my overall decision. The proposed development would provide a local service for the community although again this would not be a sufficient enough reason to justify harmful development.

Conclusion

13. The proposed development would conflict with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that would outweigh the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR