



Appeal Decision

Site visit made on 15 May 2025

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 29 May 2025

Appeal Ref: APP/U2615/W/25/3361013

40 Laburnum Close, Bradwell, Great Yarmouth, NR31 8JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ross Goodwin against the decision of Great Yarmouth Borough Council.
 - The application Ref is 06/24/0710/CU.
 - The development proposed is change of use of residential garage for use as a barber's shop, including external alterations and creation of new parking space.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are: i) whether the site is a suitable location for the use proposed; ii) whether there is a need for a sequential test assessment since the site is outside a town or local centre or an edge of centre location.

Reasons

3. The site is a two-storey terraced house, situated on Laburnum Close. For the most part, Laburnum Close is developed on a standard street layout, with dwellings that are mainly detached fronting the highway, having front gardens given over to planting and car parking, with private open space to the rear. At the head of the Close, where No.40 is situated, the street forms a 'T', to the south-west of which are the flanks of the houses which are in the usual front to the road form. Number 40 and its neighbours, on the north-eastern side are mainly terraced houses on a much denser layout. They have their backs to the highway, and their fronts to a footpath giving access to their front doors. The rear gardens are small, and for the most part include garages fronting the highway. These garages front onto a concreted area that is used for car parking. To the south-east there is a large turning head which also provides a formal parking area for 3 cars.

Whether the site is a suitable location for the use proposed

4. The change of use of the garage would involve the removal of the existing garage door and replacing it with some form of solid cladding with a pedestrian access door. Alongside the garage, the existing rear boundary fence and gate would be moved back to provide a car parking space. Customers would park on the concrete area mentioned above. The highway authority does not object to this arrangement.

5. In terms of the operation of the proposed use, the applicant would be the barber, so that this would be a form of home working. There would be a single barber's chair with no additional employees. It is proposed that there would only be one customer at a time, operating on an appointment-only basis, with 10 minutes between appointments. It is likely that there would only be 10 customers a day. The appellant suggests that a condition could ensure that the business operated on this basis.
6. Thus it is contended that the use would give rise to a minimal increase in on-street parking demand. In addition it is stated that it is likely that many customers would walk, cycle, or use the local bus service which runs close to Laburnum Close. Since Laburnum Close is quite a long street, and it is unlikely that the customers would be largely drawn from dwellings in the Close itself, I do not give much credence to this possibility.
7. Policy CS9 of the adopted Great Yarmouth Local Plan Core Strategy expects development to provide high levels of amenity for both existing and neighbouring residents. Policy A1 of the Great Yarmouth Local Plan Part 2, adopted in 2021, expands on this, stating that permission will be granted only where development would not lead to an excessive or unacceptable impact on the amenities of the occupiers of existing and anticipated development in the locality.
8. It is clear from representations and what I saw at my site visit, that the immediate area is under some pressure in terms of parked vehicles. Whilst working from home might allow a reduction of 1 vehicle in the household, I consider that the use as a barbers would be likely to exacerbate this pressure, since customers might well turn up early or late, or might come on the off-chance of getting a haircut. Whilst a condition limiting opening hours, ensuring that only a single customer visits the premises at a time, and ensuring there are at least 10-minute breaks between appointments might be imposed, I am doubtful about the enforceability of this. In addition, the loss of space immediately outside the entrance to the garden, would make a collection site for refuse bins more difficult to manage, with the likelihood of bin storage being more unsightly and extending to less convenient places.
9. The loss of the garage and some garden space for the dwelling would leave just some 26m² of private open space for the appeal dwelling, whereas the council's Design Guide policy BD6 requires 75m² for new 3-bed homes. I have already remarked that this part of Laburnum Close is built at a higher density than the majority of the street, so that activity in the back gardens of this and the adjoining houses is confined to small spaces. The barber's business should not be a noisy activity in itself, but the greater the amount of activity in the area, the greater the likelihood of social stress becoming a problem.
10. I have noted that a planning permission has been given elsewhere by the council for a change of use of integral garage to use as hair salon, and a recent appeal decision has granted planning permission within the borough for the change of use of an existing garden room to a beauty salon. However, I have no information about the details of these 2 cases and each case must be dealt with on its own merits.
11. My conclusion, bearing in mind all the above matters, is that the change of use of the garage to a barber's shop, in a very confined part of the residential cul-de-sac, would exacerbate the existing problem of parking congestion, would increase social

stress, including from such matters as refuse bin storage/collection options, and the general extra activity in a tightly developed area. Furthermore, I also consider that the conditions that have been suggested to ameliorate the situation would be difficult to enforce. For these reasons, planning permission for the proposed change of use would be contrary to policies CS9 and A1 and so should not be given.

Whether there is a need for a sequential test assessment since the site is outside a town or local centre or an edge of centre location

12. I consider that it is not reasonable to regard a small commercial use such as proposed, albeit that it would normally be found in a town centre or edge of centre location, as one that should be confined to such areas. Furthermore, to require a sequential test procedure would be unnecessarily bureaucratic and would be extremely unlikely to show that the appeal development would weaken the vitality or viability of the defined town centres or local centres. This is made clear by paragraph 94 of the NPPF that indicates that normally only schemes over the default threshold of 2500m² gross floorspace area should be required to submit an impact assessment. This issue does not amount to a reason to refuse planning permission.

Other matters

13. Objectors to the proposal state that the property deeds prevent any business use taking place within the dwellings, but this is a civil matter and not a material planning issue.

Conclusion

14. I have taken into account all matters raised, but none of them lead me to conclude other than that the proposed change of use should not be permitted. For the reasons set out in paragraph 11 above, the appeal will be dismissed.

Terrence Kemmann-Lane

INSPECTOR