



Appeal Decision

Site visit made on 2 September 2025

by **N Perrins MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 October 2025

Appeal Ref: APP/E3335/W/25/3366985

43 Leigh Road, Street, Somerset BA15 0HL

- 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 Payne against the decision of Somerset Council.
 - The application Ref is 2025/0058/FUL.
 - The proposed development is conversion of a dwelling and hair dressing salon to care home (Class C3 + E to C2).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the local amenity and residential character of the area.

Reasons

3. The appeal site comprises a semi-detached, two storey property. The ground floor was last used as a hair salon, with the upstairs used as a three-bedroom dwelling. The immediate vicinity of the site is mainly residential in character, with a compact urban grain formed by semi-detached dwellings. There are also some commercial and other uses interspersed within the area such as the garage opposite the site.
4. The proposal is for a seven-bedroom care home for residents requiring mental health recovery and rehabilitation. The appellant confirms 24-hour care staff presence, operating in shifts, with a part-time manager and maintenance visits as needed. Two carers would be on site between 10:00 and 16:00 hours, reducing to one outside these hours. Visitors and occasional deliveries are also expected during the week.
5. While the former hair salon with accommodation above may have generated more activity than a typical dwelling, I have no substantive evidence to demonstrate that the salon use was comparable to the proposed level of occupation. In particular, the care home would require continuous staffing and servicing, 24 hours a day, seven days a week, unlike the previous use.
6. I am aware that the appellant contends that the proposal would have a similar impact on amenity and character if compared to a seven-bedroom dwelling with staff, which could likely be established without planning permission. However,

seven-bedroom dwellings with staff are not particularly common, nor is there any evidence before me to demonstrate that they are characteristic of the area where the appeal site is located. The proposal would allow the property to be occupied by up to seven independent people, albeit sharing communal living spaces and facilities. Occupation by people living independently with varying lifestyles, would be materially different in character to a large family within a seven-bedroom dwelling where visitors and journeys are more likely to be shared. Occupants are likely to be a more transient population than a family, that would come and go separately from one another for practical and leisure activities, such as visits to the gym, library or supermarket.

7. Additionally, although the appellant describes the care that would be provided as being as 'low level' and the proposal would not be a secure unit, the fact that staff would need to be there 24 hours a day confirms that residents are not yet ready to live on their own in the same way as occupants in a typical dwelling can. This indicates that the residents will need continuous support. Without further details on what this would entail there is potential for an overly intensive occupation of the property markedly different to that of a standard dwelling.
8. I also find there is a lack of detail on how the property would be managed, how residents would come to be assigned to the care home and what controls there would be to ensure that the care remains permanently at the low level intended. In short, there is insufficient information of the model of care being proposed and how it would be managed in practice to be able to conclusively determine that it would not have an adverse impact from what is proposed to be a material intensification of the property.
9. Given the quiet nature of the surrounding area, and the fact that the property directly abuts its neighbours with little space in-between, the more transient population, greater number of occupants, staff and visitors and pattern of use arising from the proposed care home, would be readily perceptible to neighbouring residents, and would, in my view, lead to unacceptable levels of disturbance.
10. Overall and based on the limited information before me, I find that the need for carers on a 24-hour basis as well as a manager, maintenance visits, and the likelihood of deliveries and regular visitors across the week, indicate a scale of activity that would exceed both that of a typical dwelling, the existing use and the identified fallback. Due to the level of occupancy proposed and hours of operation throughout both weekends and weekdays, I also find that the proposed operation would be conspicuous to the tightly arranged neighbouring semi-detached properties causing the property to unacceptably stand out from the surrounding predominant residential uses nearby.
11. I, therefore, conclude based on the information before me that the number of residents and staff combined would be a disproportionate intensification of use at the property. In the absence of compelling evidence to the contrary including management arrangements, the proposed C2 use and corresponding level of occupation seven days a week has the potential to negatively affect local amenity and be an unacceptably prominent addition in the street scene that would adversely impact on the character of the area. Consequently, the proposal does not accord with Policies DP7 and DP14 of the Mendip Local Plan Part 1, which seek to protect the amenities of users of neighbouring buildings and land uses and be proportionate in scale to the locality. The proposal also conflicts with Paragraph

135 of the National Planning Policy Framework and the requirement for development to be sympathetic to local character and have a high standard for existing and future users.

Other Matters

12. I agree with the appellant that there would be sufficient outdoor amenity space for future occupants, with a suitably sized rear garden available for use as I observed during the site inspection. Bedroom sizes are also acceptable in size for future residents. However, these would be standard requirements for all care related development and as such do not provide any justification for the harm identified.
13. While the Council's pre-application response indicated support for C2 use at the property, there are no details available regarding the basis for this conclusion and has no weight in this decision, which I have made based on the information before me.
14. The appellant has brought to my attention that the ground floor areas currently in commercial use could be converted into other uses within Class E of the Town and Country Planning (Use Classes) Order 1987 (amended) and indicates that this is a fallback position. Potential uses could include retail or restaurant use. However, as the ground floor commercial floor area is limited in scale, the potential alternative uses would be less harmful than the proposal. Therefore, I give minor weight to the fallback.
15. Objections from interested parties have been raised regarding the proposal's impact on parking, access, traffic flows, ecological impacts, loss of housing stock, impact on dark skies, drainage and lack of need for the proposal. However, given my conclusions on the main issues and that the appeal is dismissed, there is no need for me to address these in further detail.

Conclusion

16. For the reasons set out the proposal does not accord with the development plan and there are no material considerations before me that would outweigh this conflict. I, therefore, conclude that the appeal should be dismissed.

N Perrins

INSPECTOR