



Appeal Decision

Site visit made on 27 January 2026

by **C Evans MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25th February 2026

Appeal Ref: APP/P2365/W/25/3376238

14 Newburn Close, Skelmersdale, Lancashire WN8 6PJ

- 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 David Johnson against the decision of West Lancashire Borough Council.
 - The application Ref is 2025/0703/FUL.
 - The development is change of use of shed from a darts room to a beauty room.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of shed from a darts room to a beauty room at 14 Newburn Close, Skelmersdale, Lancashire WN8 6PJ in accordance with the terms of the application, Ref 2025/0703/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary matters

2. The description of development on the application form includes extraneous details. I have therefore used the Council wording from the decision notice in my formal decision, as it is more concise. I have deleted the word 'retrospective' as it is not an act of development.
3. The evidence submitted by the appellant states that the development has been completed. I saw during my site visit that the shed was furnished as a beauty room. I have considered the appeal on the basis that permission is being sought retrospectively for the change of use. The Council assessed the planning application in the same manner.

Main issues

4. The main issues are the effects of the development on:
 - the living conditions of the occupiers of neighbouring properties, with particular regard to noise and disturbance; and
 - the safe and efficient operation of the highway, with particular regard to the provision of parking.

Reasons

Living conditions

5. The appeal property is a semi-detached dwelling situated at the end of a small residential cul-de-sac. The road is narrow and whilst there are pavements, they are not continuous. The shed itself, which is used as a beauty room business, is located in the back garden and access is only possible through the dwelling.
6. The nature of the business is unlikely to generate significant noise. However, the Council contends that the living conditions of neighbouring residents are impacted negatively due to the noise and disturbance from the comings and goings of clients and associated vehicle movements.
7. This is a retrospective application and so the use is already in operation. There were no objections to the planning application, and I have not been made aware of any complaints received from neighbours. Indeed, the business proprietor has provided statements in support of the application, some of which are from local residents. On the information presented, there is no substantive evidence to demonstrate that the business generates a level of noise or disturbance sufficient to adversely affect the living conditions of neighbouring occupiers.
8. This is due in part to the scale of the business, operated by a sole trader with a modest client base. In addition, an appointment system ensures that only one client at a time is seen, with breaks in-between. The scale and management practice acts to limit the number of comings and goings by clients. A condition could be attached to any permission to ensure this appointment system continues and that no additional staff can be employed on the premises.
9. I conclude that the development does not cause unacceptable noise or disturbance for the occupiers of neighbouring properties. As such, their living conditions have not been materially harmed. I therefore find no conflict with Policy GN3 of the West Lancashire Local Plan (Local Plan) 2012-2027 Development Plan Document (2013), which requires development proposals to retain or create reasonable levels of amenity for occupiers of neighbouring properties.

Highway matters

10. Newburn Close serves a small number of dwellings and it is a lightly trafficked street. The length and layout of the road and driveways encourage drivers to travel at low speed. On this basis, the modest number of additional trips from clients visiting the beauty room is unlikely to have a significant impact on the safety of pedestrians and other road users, even in the absence of continuous pavements.
11. There are few opportunities for on-street parking in the immediate locality, due to the location of No 14 at the end of the cul-de-sac and the layout of neighbouring driveways. There are, however, opportunities on nearby streets, as I found during my site visit.
12. The plans show 3 parking spaces on the driveway of No 14. This is the required number of spaces outlined in the Council's parking standards for a dwelling of this size and a business of this type and size. Whilst no measurements are provided for the width of the individual spaces, the Council contends that they do not meet local standards or those in Manual for Streets. The appellant does not contest this.

13. The plans show a parked car in close proximity to the front door of No 14. Should cars park in this manner, it is unlikely that the front door of the house could be accessed. The business in the rear garden is only accessible through this front door. This parking arrangement would therefore be impractical for the occupiers of No 14 and any business clients to access the property. Consequently, in everyday use, the likelihood is, that the driveway of No 14 would be used to accommodate a maximum of 2 vehicles. Any additional vehicles would need to park elsewhere.
14. As explained above, the business operates an appointment system. This limits the parking demand of the business by ensuring that only one client is present on site at any one time. No complaints or objections regarding unsafe or anti-social parking have been received, indicating that this system is effective. I have seen no firm evidence to show that the local neighbourhood is unable to accommodate any parking overspill. This is likely to be an occasional scenario in any event, as I note that many clients live locally and walk to their appointments, or get lifts or taxis.
15. Accordingly, I conclude that the day-to-day operation of the business does not cause demonstrable harm to the safe and efficient operation of the highway. Nevertheless, there is conflict with policies IF2 and GN3 of the Local Plan, insofar as the development does not provide parking in-line with the specific standards.

Other material considerations

16. I have had due regard to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010, which requires me to consider the need to eliminate unlawful discrimination, to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Protected characteristics include a person's disability.
17. The business proprietor, who is resident at the property, has health conditions, which have a long-term effect on their normal day-to-day activity. Working from home helps them to manage these. This development enables them to continue working in an environment appropriate to their health needs. An alternative workplace would not deliver the same benefits. PSED considerations do not dictate my decision, but they are a material consideration in favour of granting permission.

Planning balance

18. Although the development does not cause material harm to the living conditions of neighbours, it does conflict with the development plan in respect of parking provision. Against this policy conflict, I must balance the absence of demonstrable harm to the operation of the highway and the personal circumstances of the business proprietor. Taken in combination, these material considerations indicate that a decision other than in accordance with the development plan is justified. Conditions are necessary to make the development acceptable and I shall discuss these below.

Conditions

19. I have considered the Council's suggested conditions against the tests set out in paragraph 57 of the National Planning Policy Framework. I have made some amendments to wording to improve precision and enforceability. In the interests of certainty, and to reflect the basis on which the application has been considered, a

condition is needed to ensure that the beauty room business is only operated within the building and not elsewhere within the site.

20. To protect the living conditions of neighbours and ensure the safe and efficient operation of the highway, conditions are necessary. Firstly, to secure an appointment booking system, which will need to be agreed by the Council. Secondly, to restrict the business operating hours to those sought under the application and finally, to ensure no further staff are employed on the premises.
21. I have also added a condition, with the parties' agreement, to ensure that the permission endures only whilst the business proprietor is resident at No 14. Although planning permission runs with the land, the circumstances of this appeal persuade me that a personal condition would meet the tests of necessity and reasonableness.

Conclusion

22. For the reasons given above the appeal should be allowed.

C Evans

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) This permission shall only be for the benefit of Miss Elle Johnson while resident at 14 Newburn Close to operate a beauty salon in the outbuilding at 14 Newburn Close, as shown on Drawing title and Number - Site Plan as Existing – 1752.02 and shall not endure for the benefit of the land. No staff may be employed on the premises at any time.
- 2) The use hereby permitted shall only take place between the hours of 10am and 8pm Monday to Friday and shall not take place at any time on Saturday's, Sundays or Public/Bank Holidays.
- 3) The hereby permitted beauty salon work shall only be undertaken within the outbuilding and in no other place within the site.
- 4) Unless within 3 months of the date of this decision a scheme for the beauty salon client appointment system, is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within 3 months of the local planning authority's approval, the use of the site shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme is approved and implemented.

If no scheme in accordance with this condition is approved within 3 months of the date of this decision, the use of the site shall cease until such time as a scheme approved by the local planning authority is implemented.

Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter remain in use.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

END