



JUDITH DOUGLAS TOWN PLANNING LIMITED

**9 Birtwistle Terrace, Whalley Road, Langho, Lancashire
BB6 8BT.**

**Proposed change of use and conversion of domestic
dwelling into hairdressing salon.**

LPA reference 3/2022/0873

Planning Appeal Statement

December 2022

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APPEAL UNDER SECTION 78 OF THE TOWN AND COUNTRY PLANNING ACT 1990

BY

MR NEIL GREENLEES

AGAINST THE REFUSAL OF RIBBLE VALLEY BOROUGH COUNCIL TO GRANT PLANNING PERMISSION FOR THE PROPOSED CHANGE OF USE AND CONVERSION OF DOMESTIC DWELLING INTO HAIRDRESSING SALON.

AT

9 BIRTWISTLE TERRACE, WHALLEY ROAD, LANGHO BB6 8BT.

GROUNDS OF APPEAL STATEMENT

1.0 INTRODUCTION

- 1.1 The application that is the subject of this appeal was received by Ribble Valley Borough Council on the 6th of October 2022 and given the reference number 3/2022/0873P. The application sought full planning permission to convert a dwelling class C3 to a hairdressing salon Class E.
- 1.2 The Local Planning Authority refused to grant planning permission on the 1st of December 2022 for the two reasons given on the decision notice. The main issues on this appeal are:
 - Whether the hairdressing salon would be inappropriate development due to its location; and
 - The effect of the proposed use would be incompatible with the character of the area and would result in a loss of amenity to neighbouring residents.
- 1.3 This statement describes the site and its surroundings and the relevant planning guidance. The planning issues will be discussed before arriving at the conclusion that the proposed development accords with the development plan and national planning policy. Consequently, it is concluded that the appeal should be allowed.

2.0 APPEAL SITE AND SURROUNDINGS

- 2.1 9 Birtwistle Terrace is an end of terrace, two storey house, built of stone with stone detailing and a blue slate roof. At the front is a small garden enclosed by a low stone wall. At the rear is an enclosed yard. At the side of the dwelling is a unadopted side street. see photograph 1. The submitted drawings show that the ground floor comprises two rooms and a small kitchen and WC at the rear and the submitted statement states that at first floor there are three bedrooms. The building fronts onto Whalley Road the A666 a main traffic route through the area which carries a frequent bus service with bus stops nearby. There is also a train station

in Langho about 225m from the site. There are no parking restrictions on the road outside the site.

2.2 The core of the village is strung out along Whalley Road. This part of Whalley Road is characterised by terraced houses as well as semi-detached houses and detached houses interspersed with a few shops, a restaurant a primary school and a children's nursery school.

2.3 The non-residential local commercial and community facilities along Whalley Road comprise the following: on the north west side of Whalley Road are the Looking Glass Hair Salon (which was formerly the post office) Langho Pharmacy, Bamboo Beauty Salon, the Beauty Rooms Hair and Beauty, The Sun Rooms Tanning Salon and Sculpture Hair Salon. On the south east side of Whalley Road is the entrance to St Mary's Primary school (which is opposite Looking Glass Hair Salon), Welcome Nurseries @ Langho Children's Day Nursery (which is opposite 9 Birtwistle Terrace) Pritiraj restaurant, and the Bake 'n' Butty sandwich shop.

2.4. The adopted proposals map sheet 5 inset 15 to the Ribble Valley Housing and Economic Development, Development Plan Document (HEDDPD) shows the site to be inside the settlement boundary of Langho. Langho is classified as a tier 1 settlement in the Core Strategy.



1. 9 Birtwistle Terrace and side street.

3.0 PLANNING POLICY

3.1 The Development Plan for the purposes of this appeal comprises the Core Strategy 2008-2028 A Local Plan for Ribble Valley, the adopted Housing and Economic Development, Development Plan Document (HEDDPD) proposals map and the National Planning Policy Framework (NPPF) (2021).

The following policies of the Core Strategy are relevant to this appeal:

- Key Statement DS1 (Development Strategy) – which focuses new development towards tier 1 settlements in addition to the strategic site at Standen and the borough's principal settlements.
- Key Statement DS2 (Presumption in favour of sustainable development) –The Council will work proactively with applicants jointly to find solutions which means that proposal can be approved wherever possible, and to secure development that improves economic, social and environmental conditions in the area.
- Key Statement EC1- Business and Employment Development. Developments that strengthen village economies will be supported in principle.
- Policy DMG1:General Considerations. Lists general matters which should be taken into account in all planning applications
- Policy DMG2 (Strategic Considerations) – expects development to be in accordance with the Development Strategy and that development proposals in defined settlements should consolidate, expand or round-off development so that it is closely related to the main built-up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.
- Policy DMB1 (Supporting Business Growth and the Local Economy). Proposals that are intended to support business growth and the local economy will be supported in principle.

National Planning Policy Framework (NPPF)

3.2 The NPPF is a statement of Government policy in relation to planning matters nationally. Council's Development Plans must accord with the general principles detailed in the NPPF and it is a material consideration in the determination of all planning applications.

3.3 The NPPF does not change the statutory status of the development plan as the starting point for decision making. It states that development in accordance with an up to date Local Plan should be approved, and proposed development that conflicts should be refused unless material considerations indicate otherwise.

3.4 Section 6 – Building a strong, competitive economy of the NPPF, at paragraph 84, supports a prosperous rural economy and new facilities such as hairdresser in rural areas it says:

“Planning policies and decisions should enable:

- a) the sustainable growth and expansion of **all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;***
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of **accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.”***

4.0 THE PROPOSED DEVELOPMENT

4.1 The proposal is to convert the whole of the ground floor of the building to a hairdressing salon and alter the ground floor front elevation externally to create a shop front and re-position the entrance door. The first floor of the building is to be used for storage. This was confirmed to the Local Planning Authority by email. See Appendix 1. Email dated 8th of November 2022.

4.0 THE APPELLANT’S CASE

4.1 The Council’s Core Strategy Key Statement EC1 seeks to strengthen village economies and policy DMB1 similarly seeks to strengthen the local economy. Paragraph 84 of the NPPF supports the development of accessible local services. In principle the creation of a hairdressing salon which serves the local community and provides local employment is in line with the aims of the Core Strategy and the NPPF.

4.2 The site is in an accessible sustainable location accessible on foot from the village of Langho, and by public transport. A bus service runs along Whalley Road providing half-hourly service between Clitheroe and Blackburn and passes through nearby villages including Whalley, Billington, Wilpshire and Ramsbottom. The timetable shows that the travel time from Whalley to Langho is 7 minutes. Between Langho and Whalley is the village of Billington. The travel time between Langho and Roe Lee is 12 minutes. Between Langho and Roe Lee are the villages of Wilpshire and Ramsbottom. See appendix 2 Bus service and route. The appeal site is a short bus ride from nearby villages providing access for customers as well as staff. Similarly, the train service provides an hourly daytime service from Clitheroe to Manchester.

The train stops at the nearby villages of Whalley a travel time of 5 minutes from and to Langho. It stops at Ramsgreave and Wilpshire Station and the travel time to and from Langho is 6 minutes. See Appendix 3. Train timetable. Clearly the appeal proposal as a hairdressing salon is providing a local service to the local community and its location in Langho which is accessible on foot, by bus or train is the type of development encouraged by NPPF paragraph 84. As local business providing employment it strengthens the village economy of Langho in line with Key statement EC1 and policy DMB1.

4.3 The Council claim that the proposal is in conflict with strategic policy DMG2 in relation to the location of the development and that it fails to consolidate, expand or round-off the existing concentration of commercial development within the area. Policy DMG2 states development proposals in tier 1 villages "*should consolidate, expand or round-off development so that it is closely related to main built up areas*". The glossary to the Core Strategy defines "*consolidation*" as "*Refers to locating new developments so that it adjoins the main built up area of a settlement and where appropriate both the main urban area and an area of sporadic or isolated development*". "*Expansion*" is defined as "*this is limited growth of a settlement generally it should be development which is in scale and keeping with the existing urban area*." "*Rounding -off*" is defined as "*Development which is essentially part of rather than an extension to the built-up part of the settlement. It can be defined as development of land within the settlement boundary (which is not covered by any protect designation) where at least two thirds of the perimeter is already built up with consolidated development*".

4.4 It is clear from these definitions that the terms are used to refer to new built development and does not refer to development proposals which involve the change of use of an existing building. As such this part of policy DS2 has no relevance to the proposed development. Even if the policy is considered relevant, the requirement is that development is closely related to the main built-up area which the site clearly is. There is no policy within the Core Strategy which defines local shopping centres in tier 1 villages or any policy requirement that new commercial premises should be located in close proximity to other commercial premises.

4.5 As described above the section of Whalley road to the north east and south west of the site is characterised by residential dwellings interspersed with local commercial and community facilities. The commercial premises include terraced, and end of terrace properties similar to the appeal site. These include:

The Beauty Rooms, 1 Jubilee Terrace -an end of terraced property.

The Sun Room, 6 Taylor Buildings -an end of terrace property.

Sculpture Hair Salon, 2-3 Taylor Buildings a mid-terrace property. See photograph 2

Bake 'n' Butty 98 Whalley Road a mid terrace property. See photograph 3
Langho Pharmacy 1D East View Terrace. See photograph 4.



2 The Beauty Rooms, The Sun Room, Sculpture Hair Salon



3 Bake 'n' Butty



4 Langho Pharmacy

4.6 It is evident from this that most of the commercial premises/shops in Langho are within terraced properties, three of which are end of terraced properties. The conversion of 9 Birtwistle Terrace into a hair dressing salon including the insertion of a new shop front will not be visually out of place in this context. The creation of a shop unit at 9 Birtwistle Terrace will not adversely affect the character of the area which is already a mixture of residential, commercial and community uses as would be expected in a village location. The scale of the development is also of a similar scale to existing commercial premises in the area.

4.7 The appellant has provided the following description of the operation of the salon.

"Reception desk is used by the stylist for booking appointments/taking payments. Reception chairs will be used on the rare occasion that a client may bring a child or friend (in the same car with them). Back washes in the salon will be used for washing hair and colours off. Mirror and chairs for client to sit on during appointment. Kitchen as a staff room to store stock.

Appointment timings:

Blow dry - 45 minutes

Cut and blow dry - 1 hour

Root tint, cut and blow dry - 2 hours

Highlights / balayage - 3 to 4 hours

The area previously used will be cleaned and tidy for new clients to arrive.

One stylist can only do two clients at a maximum time. For most colours such as balayage there will be one client in at a time. If one other stylist was to work, there would be a maximum of four clients (two stylist and two clients). In an 8 hour day (9-5) from two up to six clients can be done.

Relaxing background music will be played at a low volume so client and stylist can talk and hear each other.

For equipment that makes noise that would be a hairdryer.

The salon would be appointments only. The stylist very rarely runs over with appointments as she's good with time keeping."

4.8 The appellant has described the maximum number of stylists and clients using the salon at any one time as six people. This is composed of two stylists having a maximum of two clients each. The more complex and time-consuming hair colouring appointments are on a one-to-one basis. Even if appointments should occasionally over-run, the total number of customers in the day is not affected. It can be said with certainty that the hair salon has a relatively low number of customers during the day and the activity associated with the proposed development is low key.

4.9 The Council has raised concern about the potential impact on the occupiers of the adjoining property through noise emanating from within the premises. Noise levels inside the building associated with hairdressing are not particularly loud. The only equipment used which emits a noise are hairdryers. Low level background music might be provided. The social interaction between customer and hairdresser is important so background music will be at a level where conversation is possible. The upper floor of the building is to be used for storage only. The proposed salon will not be occupied in the evenings or early mornings. If the Inspector is concerned about the potential noise transmission to the adjoining property a planning condition could be applied to require sound insulation to be installed at the property before the use become operative.

4.10 The Council has raised concern about noise and disturbance from clients visiting the hair salon by car and parking on-street nearby. As has already been stated the number of customers during the day is relatively low. There is potential for some customers to walk to the salon or use public transport. Whalley Road is a main traffic route through the area. The additional level of activity resulting from customers arriving by car is for short infrequent periods and is small compared to the existing background level of activity from vehicles passing the site along the road and people walking along the footpath. There are peak times of activity associated with the opening and closing times of the nearby primary school and nursery school when parents park on Whalley Road or walk their children to school. This is for a relatively short period of time. At other times during the day there is usually on street parking available. The noise and disturbance arising from the using of the premises as a hair salon is unlikely to increase activity in the near vicinity of the site to a level which would be harmful to the occupants on nearby properties.

Third Party comments.

4.11 The majority of representations received on the applicant raise concerns about parking and highway safety. The applicant has asked for day-time opening hours of 9am to 5pm Tuesday to Friday and Saturday 9am to 3pm. These hours are outside the peak demand for residents

parking. The objections received to the application consistently describe issues associated with school drop-off and collection times. The small amount of additional on-street parking associated with the proposed hairdressing salon is unlikely to significantly add to the peak demand for parking in the area. It is notable that the Local Highway Authority did not object to the proposal on highways safety or any other grounds. The planning conditions suggested by the Local Highway Authority intended to control the amount of on-street parking is acceptable to the appellant.

5 CONCLUSION

5.1 We have demonstrated that the proposed development is in an appropriate location where it will support business and the local/village economy in accordance with Key Statement EC1 and Policy DMB1 and NPPF paragraph 84. It will provide an accessible local service and employment in a sustainable location well-served by public transport. We have demonstrated that the proposal is not in conflict with strategic requirements of policy DMG2 in relation to the location of the development.

5.2 There are existing commercial premises close to the appeal site which have shop fronts. The introduction of a shop front to this end of terraced property will not look out of place or out of character in this location. We have demonstrated that the proposed use which is low key will not have any adverse impact on the neighbouring property or other residential properties nearby. As such the proposal is in accordance with requirements of policy DMG1 of the Council's Core Strategy.

5.3 We respectfully request that the Inspector allow this appeal.

Suggested conditions

If the Inspector is minded to allow the appeal and granted planning permission the appellant is willing to accept the following conditions if considered necessary:

Prior to the first use or occupation of the development as hereby permitted, the building shall have been modified to provide sound insulation against internally generated noise in accordance with a scheme devised by a competent person and agreed, in writing, by the Local Planning Authority. The insulation shall be maintained as agreed thereafter.

The ground floor of the premises shall be used as a hairdressing salon only and no other use within Class E of the Town and County Planning (Use Classes) Order 1987 (as amended).

The first floor of the property will be used for storage only ancillary to the hairdressers (ground floor only).

There will be a maximum of 4 clients at the hairdressers at any one time. All appointments shall be booked in advance.

The opening hours shall be Tuesday to Friday 9am to 5pm, Saturday 9am to 3pm, with no opening on Sunday.

Appendices

Appendix 1. Email to Council 08.11.2022

Appendix 2. Bus timetable and route.

Appendix 3. Train timetable