



Appeal Decision

Site visit made on 27 October 2025

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 November 2025

Appeal Ref: APP/H0738/W/25/3371440

4 Alford Lane, Stockton-on-Tees TS19 0QP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Yasmeen Afsar against the decision of Stockton-on-Tees Borough Council.
 - The application Ref 24/2109/RET was approved on 7 August 2025 and planning permission was granted subject to conditions.
 - The development permitted is retrospective application for the change of use of the existing detached garage to an aesthetics business (*sui generis*).
 - The condition in dispute is No 2 which states that:
Notwithstanding the submitted information, the outbuilding to the rear of the property is permitted to operate for the use as a aesthetics business Monday- Friday between the hours of 09:00 - 17:00. No working shall take place on Saturdays, Sundays or Bank Holidays. The number of appointments or clients visiting the site shall be restricted to no more than six appointments per day, with only one client at anyone time during the permitted hours of operation only.
 - The reason given for the condition is: In the interests of residential amenity.
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Decision

1. The appeal is dismissed

Background and Main Issue

2. The Council granted planning permission for change of use of the existing detached garage to an aesthetics business in August 2025¹, subject to a condition (No 2) restricting the operation of the business to between the hours of 09:00 and 17:00, Monday to Friday, and limiting client numbers to no more than 6 per day.
3. The appellant considers this to be unduly restrictive, as it is not suitable for clients who cannot attend during weekdays and does not account for short reviews or consultations. The Council contends that the condition is necessary and reasonable to protect the peace and quiet which occupiers of adjacent residential properties should reasonably expect to enjoy, including at weekends.
4. The main issue is therefore the effect that varying condition No 2 would have on the living conditions of the occupiers of neighbouring properties.

Reasons

5. The appeal site comprises a detached dwellinghouse and its associated curtilage. Within the rear garden of the property is a single storey flat roof outbuilding, which is the subject of this appeal. The site sits at the entrance to a residential street and is bounded on 3 sides by neighbouring dwellings, with bungalows across the street. The wider area is also predominantly residential in nature.

¹ Council Ref 24/2109/RET

6. The appeal business provides various cosmetic services including dermal fillers, anti-wrinkle treatments, skin facials, vitamin injections, fat dissolving, skin analysis/consultations, skin tag removal and other treatments. I saw on my site visit that the outbuilding on site is set up as a small clinic, including a single chair for treatments, cosmetic instruments, a consultation area, storage and a wash basin. The appellant advises that on average they see 2-6 clients per day.
7. The appeal seeks to amend condition No 2 to include Saturday working and to increase the number of permitted clients to 8. I recognise that this would provide a greater degree of flexibility and availability for the appellant when booking appointments. However, this could result in an appreciable amount of additional commercial activity at the property compared to the consented scheme.
8. Though representations from interested parties during the application process did raise some concerns regarding noise, there is no compelling evidence of excessive noise from the treatment processes themselves, with no large machine products in use. I saw on my site visit that clinical waste is disposed of in separate bins and collected by a waste management company. The appellant also advises there are no chemicals or toxic materials used and therefore no odours.
9. Nevertheless, while the appellant's individual circumstances and how the business typically operates are noted, planning permission runs with the land in perpetuity and so consideration must be given to the impacts were the proposal to operate at maximum capacity now or in future. The proposed variation would allow 8 clients to visit the property every day between 9am and 5pm: an average of one per hour. This could occur over 6 days every week. A day of reviews or short consultations on the other hand may see up to 8 clients visiting in the space of a couple of hours. While clients can be advised to arrive on time and overlap between appointments may be limited as far as practicable, this cannot be guaranteed. Likewise, the parking behaviour of visitors on public roads cannot be controlled.
10. Impacts on residents would be greater at the weekend when many people are at home and when a reasonable degree of peace and quiet can be expected. The potential level of activity and the continuous comings and goings associated with it would go beyond that which could reasonably be expected in a residential area and would be more appropriate in a commercial setting.
11. Varying condition No 2 as proposed would thus have a harmful effect on the living conditions of the occupiers of neighbouring properties. The proposal would conflict with Policy SD8 of the Stockton-on-Tees Borough Council Local Plan Adopted 30 January 2019. This policy, among other provisions, seeks to ensure that new development takes into consideration the context of the surrounding area and the privacy and amenity of all existing and future occupants of land and buildings.

Conclusion

12. The proposed development would conflict with the development plan, taken as a whole. I have found no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal is dismissed.

Ryan Cowley

INSPECTOR