

Item 03

Application No. IP/24/00494/FUL

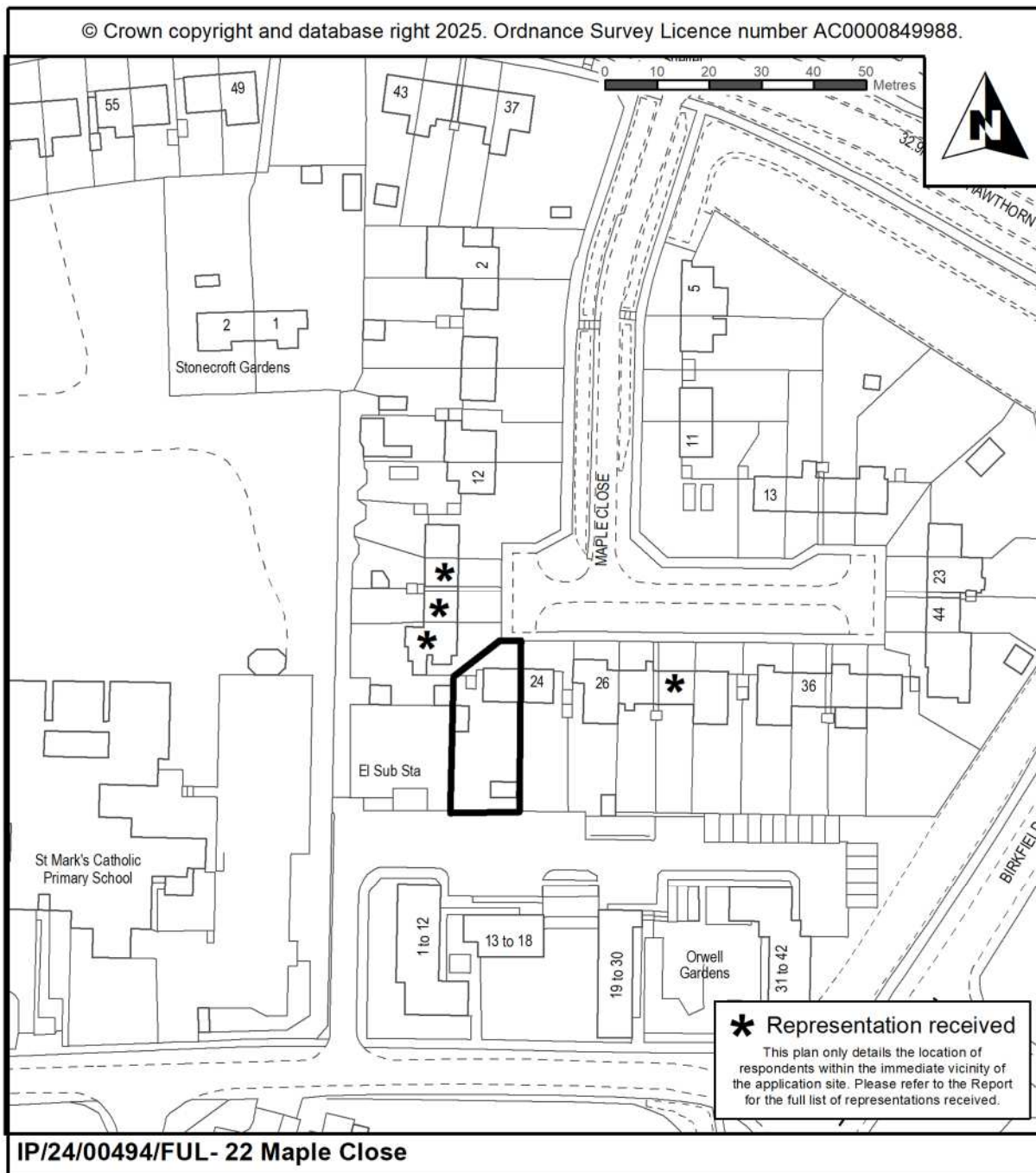
Ward: GIPPING

Proposal: Erection of outbuilding for use as a nail and beauty salon (Sui Generis) (retrospective application). REVISED DESCRIPTION.

Address: 22 Maple Close, Ipswich,

Applicant: Mr & Mrs Brame

Agent: Mr Ian Smillie



Recommendation

Grant planning permission subject to the following conditions (briefly):-

1. Development approved as per submitted drawings.
2. The approved use shall not be operated nor take appointments outside of the following hours:
Monday - Friday - 09:30 - 17:00.
Saturday, Sunday and Bank Holidays- No working hours
3. During operating hours (As defined by Condition 2), the parking space shown on the Site Location and Block Plan, drawing No.2023070/01 rev. A, shall be made available for the parking of visiting clients.
4. Details to be submitted for a minimum of one secure cycle storage space.
5. Submission of a management plan to cover the following points - Clients shall attend the salon by pre-booked appointments only. The start of each appointment which succeeds a previous appointment shall begin no earlier than 15 minutes from the end of the previous appointment. A record of each appointment from the granting of this permission shall be kept informing of the time at which each appointment began, ended and the date they occurred.

1. Proposal

- 1.1 Planning permission is sought for the erection of an outbuilding for use as a nail and beauty salon (Sui-Generis use). The planning application is retrospective, as the building and the use are already operational, and the application has been submitted following planning enforcement investigation. The outbuilding measures approx. 4.925m by 2.825m (13.91 sqm), and 2.66m in height.

Description of the Site

- 1.2 No.22 Maple Close is a two-storey semi-detached dwellinghouse located at the end of the Maple Close cul-de-sac located in the Chantry suburb of Ipswich. The surrounding properties are neatly laid out in perpendicular lines fronting the highway with dwellings comprising a mix of semi-detached and terrace properties. These are set back from the highway with front gardens, verges and hardstanding between the carriageway and surrounding buildings, resulting in a relatively low density of development.
- 1.3 The property has a dropped kerb and area of hard standing at its front, that could accommodate two vehicles within the front garden of the application site. Street parking along Maple Close is generally permitted, except around the T-junctions where there are double yellow lines, and some of this is indiscriminate as vehicles are parked on road verge. Maple Close is also provided with off-street unallocated resident parking areas.
- 1.4 The site is within the Chantry, Stoke Park and Maidenhall Character Area of the Ipswich Urban Characterisation Study (2019), specifically within the Chantry sub-area. There are no other designations attached to or associated with the site.

2. Background

- 2.1. The site has been operating as a nail and beauty salon since at least February 2023, when the first enforcement complaint was received.
- 2.2. The site includes several domestic ancillary outbuildings along the west side of the site in addition to the outbuilding located at the bottom of the garden which is the subject of this application. The original use of the outbuilding was as a summerhouse, incidental to the enjoyment of the dwelling, which was erected in 2019. The building was subject to a planning enforcement case (23/00015/CHAUSE) where the construction of the outbuilding was determined to have not constituted permitted development (Class E, Part 1, Schedule 2) due to its height exceeding the prescribed limit (2 metres), this is in addition to the ongoing use of the building as a beauty salon (Sui Generis) without planning permission. Aerial photographs from 2013, 2016, and 2020 show that a range of domestic structures

have been erected within the site over time, including a visibly different structure occupying the current site of the summerhouse. An application for prior approval, for a single-storey rear extension, was submitted and approved in 2022 (under ref. 22/00094/PDE) and has been completed.

- 2.3. A pre-application enquiry was submitted in June 2023 for the proposed use. The officer concluded that the introduction of a small-scale business within the site could be supported in principle, but would be dependent on the proposed use being appropriate within a residential context. Parking matters were required to be resolved in accordance with the prescribed guidance for parking or through the provision of an overriding justification in favour of allowing reduced parking standards. It was noted that the existing summerhouse did not have planning permission, and an application should be submitted to ensure that the building was also lawful development.

3. Consultations

- 3.1 Public and statutory consultation was undertaken between 27th January 2025 and 15th April 2025. The initial consultation (from 27/01/2025) was for the proposed use for a temporary 3 year period, as submitted by the applicant. Officers did not consider that there was a need for a 3 year limitation, and therefore, this was removed from the development description and re-consultation occurred (from 17/03/2025). Properties were notified of the application, in addition to a press notification and a site notice. The application was advertised on the Council's website in accordance with the Ipswich Statement of Community Involvement 2024.

- 3.2 Comments that were received are summarised below:

SCC Highways: No objection.

Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission due to the application not having a detrimental effect upon the adopted highway.

SCC Suffolk Fire and Rescue Service: No objection.

Access and Fire Fighting Facilities: Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2019 Edition.

Water Supplies: No additional water supply for firefighting purposes is required in respect of this planning application.

IBC Environmental Protection: No objection.

- 3.2 Representations:

- 3.3 The following representations have been received objecting to the application (as originally submitted with the 3 year time limit): -

1. 2no. Anonymous residents of Maple Close, Ipswich, received 31/01/2025.
2. C & H Daniels; 18 Maple Close, Ipswich, received 31/01/2025.
3. N. Stringer; 16 Maples Close, Ipswich, received 03/02/2025.
4. D. Green; 20 Maple Close, Ipswich, received 03/02/2025.
5. S. Garnett; 30 Maple Close, Ipswich received 04/02/2025.
6. L. Suckling; 23 Iris Close, Ipswich received 12/02/2025.

Summary of issues raised: -

- This business in a small residential area and is disturbing the peace.
- Maple Close is a small cul-de-sac with very limited parking for its residents.
- There are not enough parking spaces for residents and people arrive home from work and cannot park where they live.
- Increased foot traffic and car traffic.
- People waiting outside our houses looking into our houses and sitting on our walls.
- This nail business is run by the homeowner's niece who does not actually live at the property.
- The occupants have 3 cars, plus the niece's car, plus her boyfriend's car, and client's cars on top of that, at least 7-10 nail customers from this business.
- The proposed nail bar has been operating since 2021.
- The cul-de-sac is home to young children going to and returning from school, concern this would prevent safe and free movement around Maple Close with traffic attending during and after School times.
- Parking restricts access for emergency services.
- Temporary fencing has been put up to stop people standing in neighbouring gardens.
- Business being run from 7.30 in the morning till 10 at night.
- Security lights going off lighting my house up.
- Noise from dogs barking when people go past.
- Problem with rats in their garden running through to neighbour's gardens from theirs.
- Litter being dropped out of people cars cigarette ends in neighbour's gardens.
- Application should go to a planning committee - benefits of scheme do not outweigh harm to residential amenity.

3.4 No additional consultation responses were received within the re-consultation period following the removal of the temporary three year time limit.

4. Policy

4.1. National Planning Policy

National Planning Policy Framework (2024)
National Planning Practice Guidance

4.2. Local Planning Policy

Ipswich Local Plan, incorporating the Core Strategy and Policies Development Plan Document (DPD) Review, and the Site Allocations and Policies (Incorporating IP-One Area Action Plan (AAP)) DPD Review (2022)

Policies:

DM3 Air Quality
DM8 The Natural Environment
DM12 Design and Character
DM16 Extension to Dwellings and the Provision of Ancillary Buildings
DM18 Amenity
DM21 Transport and Access in New Development
DM22 Car and Cycle Parking in New Development
DM31 Town Centre Uses Outside the Central Shopping Area

4.3. Other Planning Guidance

Space and Design Guidelines November 2015
Low Emissions SPD December 2021
Cycling Strategy SPD July 2016
Ipswich Urban Characterisation Study July 2019 – Chantry Character Area

5. Planning Assessment

Principle of Development

- 5.1. The outbuilding, or summerhouse, has been erected without planning permission. The building is not considered to be Permitted Development as the height of the outbuilding at 2.66m, and exceeds the maximum prescribed height for an outbuilding within 2m of the curtilage of the dwelling (restricted to 2.5m (Schedule 2, Part 1, Class E(e)(ii)). The regularisation of the outbuilding, as an ancillary building within the curtilage of the dwelling, is considered to be akin to householder development. When considered in isolation, from the proposed change of use, the structure is considered to be acceptable in principle, and does not impact upon neighbouring residential amenity.
- 5.2. Policy DM31 states that within the Town Centre (defined on the IP-One Area Action Plan Inset Policies Map) but outside the Central Shopping Area, the development of non-retail town centre uses, including leisure, recreation, culture and tourism uses, will be permitted. This area must be considered first before edge or out of centre locations for these town centre uses. The site is considered to be outside of the Town Centre and as such available sites within the Town Centre should be considered first in order to meet the requirements of policy DM31. However, the scale of the proposed business, the singular client service, and the fact the business will not be open to passing trade, would suggest that the building may operate as a domestic business which can be accommodated outside of the town centre in accordance with this policy. Small scale domestic beauty, nail and hair salons are commonly seen across Ipswich and the country at large, with a strong precedence within planning supporting home business such as these.
- 5.3. It is considered that the proposed use in this location is supported in principle, however the acceptability of the use is subject to wider material planning considerations.

Design and Layout

- 5.4. Paragraph 130 of the National Planning Policy Framework (NPPF) has a requirement that decisions ensure that new development will function well and add to overall quality and visual attractiveness of its surroundings.
- 5.5. Policy DM12 requires all new development to be well-designed and sustainable, to ensure that new development contributes towards sustaining a safe and attractive public realm. Policy DM16 is specific to householder extensions and ancillary buildings within the curtilage of a dwellinghouse. The policy criteria require development to respect established design principles in their locality of the development and prevent an over developed or unbalanced street scene. In addition to these policies are adopted Supplementary Planning Documents (SPDs) which provide specific guidance and set design expectations for development within the borough.
- 5.6. The outbuilding is set back within the rear garden close to the curtilage boundary at the rear of the site and close to the shared boundary with No.24 Maple Close. It has no visual presence within views of Maple Close. The land to the rear of the site is part of the Orwell Gardens flats and is used for private parking, from this area the structure is visible but is not prominent and is screened by boundary vegetation.
- 5.7. The building has the appearance of a generic garden structure with a shallow dual pitch roof, and front and rear gables. Elevation plans include a description of the exterior materials, these being a felt roof, horizontal timber cladding and stained timber walls and doors. There is a small area of decking in front of the building. The building is painted/stained in black.

5.8. It is not considered that the outbuilding harms the visual amenity of the site and its surroundings and would have little to no impact on the character and appearance of the surrounding street scenes in accordance with Policies DM12 and DM16 of the Local Plan and consistent with the aims of the NPPF.

Amenity

5.9. Policy DM18 states the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not result in an unacceptable loss of amenity. The Space and Design Guidelines SPD include criteria for measuring the potential impact of development on residential amenities. Exceptions to these criteria will only be made where satisfactory mitigation measures can be secured.

5.10. The relative size and position of the outbuilding is unlikely to have any detrimental impact on the residential amenity of the surrounding neighbours. The building is close to a 1.8m close board fence along the shared boundary with No.24 Maple Close and it is not considered that either the outbuilding or the decking at its front would allow for any increased or adverse overlooking of the neighbour's private residential amenity space. The position of the building relative to nearby buildings and boundary features would not result in there being any adverse overshadowing of the neighbouring properties.

5.11. The introduction of a formal commercial or business use would be out of keeping within the immediate context of the site, which is primarily comprised of residential dwellings with non-residential within the wider context of the site relating to schools and recreation grounds. The immediate area has a distinct absence of any known formal commercial and business activity, but the nature of this business is typically regarded as common enough and small-scale domestic business which it is deemed appropriate within a residential setting. No objections have been raised from Environmental Protection team in respect of noise or odour nuisances or impacts on air quality resulting from the use of the building. The introduction of a small-scale business for a single employee working with individual clients within reasonable working hours (Monday - Friday - 09:30 - 17:00. Saturday, Sunday and Bank Holidays- No working hours) is unlikely to result in any adverse or harmful detrimental impact on residential amenities, notwithstanding parking matters considered below.

5.12. Representations from the local residents have been received with objections to the continued use of the outbuilding as a beauty salon. These concerns relate to disturbances of the peace from lighting and noise, late night working hours, increased foot and vehicle traffic, disturbance from clients waiting outside houses, litter being dropped by clients, and rodents emanating from the garden of the property.

5.13. Regarding the rodents, a site visit was made on 18 February 2025. The site seemed reasonably tidy and there was no evidence to suggest that either the residential use or the beauty salon could reasonably result in or increase the presence of any rodents. When asked about this the applicant stated that their own assessment of the issue suggested that rats were passing from another external location through their garden and into the neighbour's gardens. Why there may be a rodent issue at and around the site is considered to be immaterial to this proposal, and there is no reason to suggest that there is any causal link between the outbuilding/beauty salon and the presence of these rodents. While the outbuilding may serve as refugia for rodents, and other animals, it is considered unreasonable to refuse planning permission for this reason.

5.14. A number of concerns were related to disturbances from clients and working practices. The applicant has stated that they run the business seeing one client at a time and allowing 15 minutes between

client visits to ensure there is time to clean the facilities, prepare for the next client and to ensure one client has left before the next arrives. The applicant disputes the claims of working hours as late as 10pm. Besides anecdotal evidence, there is no evidence to either support or contradict these claims. Opening hours for visiting clientele will be restricted by condition to between 9:30 and 17:00 on weekdays only, this is considered reasonable for local home businesses in residential settings. Any requirement to increase hours or operational days to a Saturday or Sunday would require the need for a further planning application. While it is unfortunate clients may be acting disrespectfully, this is not something that can be reasonably controlled by the applicant or the Local Planning Authority. By having a 15-minute space between clients and parking for clients being made available within the site during opening hours, this would assist in reducing the need for clients to wait outside of the business premises. The retention of parking facilities will be secured by condition. Security lighting and noise from dogs is considered to be unrelated to the proposed change of use and part-and-parcel of the residential use of the site as much as any other use of the site and therefore cannot be controlled by way of planning permission.

- 5.15. Subject to conditions being applied to the permission, it is not expected that the proposed change of use would have any adverse impact on the residential amenities of the surrounding residential properties. Officers consider the proposal to be in accordance with Policy DM18 of the adopted Local Plan.

Amenity of the Occupant

- 5.16. Policy DM7 requires a standard of 75sq.m of private amenity space for a 3-bedroom house. The change of use of the outbuilding from a summerhouse may be interpreted as a reduction in the available amount of private amenity space within the site, however there would be sufficient garden space retained to meet the policy requirement. It is noted the outbuilding is not segregated from the residential garden.

Highways and Parking

- 5.17. Policy DM21 promotes sustainable development that will not result in a severe impact on the highway network or unacceptable impacts on highway safety.
- 5.18. Policy DM22 refers to car parking and cycle parking, requiring development to have regard to the adopted car and cycle parking guidance, to provide design and integrated parking solutions.
- 5.19. Secure and covered cycle storage facilities should be provided for the proposed business use in accordance with the Suffolk Guidance for Parking which would require storage space for at least 2 cycles, however in this case, as there would only be 1 client on site at a time, provision is only considered necessary for 1 cycle. Secure cycle storage may be accommodated within the private garden of the dwelling. This can be secured by planning condition.
- 5.20. The proposed change of use would be operated by a relative of the occupant. As such there is a very modest amount of employment generated, one staff member/ the owner of the business, as a result of the use with staff having to commute to the site. It is considered that there is space within the site to accommodate two vehicles. Details have been submitted showing a dedicated parking space for clients within the site, a condition would ensure this space is made available to clients only during business hours. This would help alleviate any issues related to street parking by clients and clients waiting outside of the premises.
- 5.21. Several of the public representations objected to the resulting pressure for parking within the cul-de-sac that has occurred as a result of the change of use. Assuming the occupants of the dwelling have two vehicles, as per the Suffolk Guidance for Parking standards for three-bedroom dwellings (the site can accommodate two-off street parking spaces), and the needs of the business require

one parking space, (as per the requirements of the SGP as the outbuilding is less than 20 sqm), it would be reasonable to assume that at least one vehicle would need to be parked on the street during business hours, although it is noted the applicant/operator of the proposed use also drives to the site. Maple Close has a narrow single lane carriage way running through it which would not easily facilitate on-street parking. Unallocated resident off-street parking bays are available, with at least 8 bays for vehicle parking. Some, but not all, of the properties within the close have hardstanding with space to park 1-2 vehicles. Visiting the site, it is noted that there are vehicles parked within turning bays, on verges and on the pavements. The road into Maple Close is narrow with a pavement which vehicles frequently park on. Officers visited the site in the morning (Monday 3rd March – 8-8:30am), during the day (Tuesday 4th March – 2-2:30pm and Wednesday 5th March – 10-10:30am), and in the evening (Friday 28th February – 5-5:30pm). Parking in the close was significantly higher during the morning and evening than during the daytime, as would be expected with the typical commuting patterns.

- 5.22. The eclectic layout and visible differences seen in the hard standing associated with the dwellings within Maple Close imply that vehicle parking was not a planned feature of the original housing development. It would appear piecemeal off-street parking has been added to the properties over time, this is corroborated by street view images and aerial photographs. This includes the public off-street parking bays which were constructed sometime between 2009 and 2012. While the parking of one vehicle or two vehicles within the street is not ideal, it is noted that the greatest pressure from parking from the proposed use would occur during working hours, 9:30-17:00, time when the area is expected to be least occupied by vehicles.
- 5.23. SCC Highways have raised no objection to the proposal.
- 5.24. The impact on parking is not considered to be ideal, due to the potential reliance on on-street parking or use of the unallocated off-street parking areas. However, the pressure would be mitigated as parking associated with the proposal would be limited to working hours, 9:30-17:00 (as recommended via condition), at times when the area is expected to be least occupied by vehicles due to traditional commuter temporal patterns of other residents within Maple Close. Additionally, each appointment which succeeds a previous appointment shall begin no earlier than 15 minutes from the end of the previous appointment, therefore, only one client car should be present at any one time.
- 5.25. Subject to conditions being applied to the permission, provision of on-site car parking and cycle parking, and reliance on one or two on-street car parking space, is not considered to be detrimental. Officers consider the proposal to be in accordance with Policies DM21 and DM22 of the adopted Local Plan.

Landscaping and Biodiversity Matters

- 5.26 The summer house was erected on site prior to the adoption of statutory biodiversity net gains, as was The original use of the outbuilding as a beauty salon. As the original use would have constituted householder development, it would be exempt from the need to provide a 10% net gain of biodiversity within the site. It is considered unnecessary to require a 10% biodiversity net gain for the proposed change of use. Whilst policy DM8 requires that all development to incorporate measures to provide net gains for biodiversity (separate to BNG legislation), given the nature of the proposal it is considered ecological enhancements are not required by this application.

Air Quality

- 5.27 Policy DM3 states the Council will ensure that the impact of development on air quality is mitigated and ensure that proposals do not negatively impact on existing air quality levels in the Borough.

The site is not within an Air Quality Management Area. The salon would not introduce new sources of air pollution nor is it likely to result in an increase of emissions from the site.

No objections have been received from the Councils Environmental Protection team in respect of air quality.

6 . Planning Balance / Conclusion

- 6.1 The proposal is considered by Officers to be acceptable, in regard to both the outbuilding and change of use. The proposal is not considered to harm the visual amenity of the site and its surroundings, nor the amenity of the neighbours or the occupants. The impact on parking is not considered to be ideal, potentially relying on the parking of one or two vehicles within the street. However, the pressure would be mitigated as parking associated with the proposal would be limited to working hours, 9:30-17:00 (as recommended via condition), at times when the area is expected to be least occupied by cars due to traditional commuter temporal patterns of other residents within Maple Close. Additionally, each appointment which succeeds a previous appointment shall begin no earlier than 15 minutes from the end of the previous appointment, therefore, only one client car should be present at any one time.
- 6.2 The proposal is therefore considered compliant with Local Plan policies DM3, DM8, DM12, DM16, DM18, DM21, DM22, DM31, and the NPPF 2024; and in relation to chapter 16 of the NPPF 2024. It is recommended that planning permission is granted.