



## Committee Report

Planning committee - 26 January 2021

Application no DC/20/3946/FUL

**Location**

12 Elm Road  
Rushmere St Andrew  
IP5 1AJ

**Expiry date** 3 December 2020

**Application type** Full Application

**Applicant** Mr Carl Vince

**Parish** Rushmere St Andrew

**Proposal** Retrospective change, converting a 3rd of our garage into a Barbershop

**Case Officer** Jamie Behling  
07919 303788  
[Jamie.Behling@eastsoffolk.gov.uk](mailto:Jamie.Behling@eastsoffolk.gov.uk)

### 1. Summary

- 1.1. The proposed development seeks permission retrospectively for planning permission for a one chair barbers to be operated out of a partly converted garage space at 12 Elm Road, Rushmere St Andrew.
- 1.2. The town council have recommended refusal to the application, and therefore given the contrary officer recommendation the application was presented to the referral panel on the 15/12/2020 whereby it was decided to bring the application to the Planning Committee.
- 1.3. The referral panel considered that there were material planning considerations which warranted further discussion by the planning committee.
- 1.4. Officer recommends approval.

## 2. Site description

- 2.1. 12 Elm Road is a semi-detached bungalow within the physical limits of Rushmere St. Andrew. The plot has a long thin back garden that recently received planning approval for a separate, detached annexe. The site has parking to the front and side of the dwelling for approximately three cars comfortably with a garage positioned just behind the dwelling, on the north boundary which has been partly converted into a barbers.
- 2.2. This retrospective application has been submitted as a result of enforcement case under ref. ENF/20/0293/USE. Elm Road lies on the southern side the Main Road through Kesgrave. It not a through road, and is narrower than the standard roads in the area.

## 3. Proposal

- 3.1. The proposal seeks to retain the use of the single chair barber shop in part of a converted garage within the rear garden of this residential property, for part time use between the hours of 16:00 - 20:00 Mon - Fri and 9:00 - 12:30 Sundays.
- 3.2. Scheduled clients will arrive one at a time so there should never be more than one customer on the premises at any given time. Clients are asked to park on the driveway when arriving so not to congest the street. The use of the building will solely be operated by a family member and not leased out for additional professionals.

## 4. Consultations/comments

- 4.1. Five letters of objection raising the following material planning considerations:
- Parking
  - Highway Safety
  - Loss of privacy
  - Noise and disruption

## Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Rushmere St Andrew Parish Council	9 October 2020	2 November 2020
<i>"Response: Rushmere St Andrew Parish Council recommends REFUSAL.</i>		
<i>The reasons for refusal are: This is a narrow site near the top of Elm Road. There are already issues with cars parking along the road and insufficient car parking is available/ proposed on site.</i>		

*The Parish Council would also like to draw attention to the fact that online appointments are currently advertised for day times but in the application form it is stated that there would not be appointments available during day times.”*

### Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	12 October 2020
Summary of comments: Standard comments regarding access for fire vehicles and installation of sprinklers		

### Publicity

None

### Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted:

Expiry date:

### 5. Planning policy

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“where in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”*.
- 5.2. National Planning Policy Framework (NPPF) (2019)
- 5.3. National Planning Policy Guidance (NPPG)
- 5.4. The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant:
  - Policy SCLP11.1 - Design Quality
  - Policy SCLP11.2 - Residential Amenity

## 6. Planning considerations

### Principle and Sustainable Development

- 6.1. The site is located within physical limits of Rushmere St Andrew, a sustainable residential location with good links to public and private transport. It is a low-level personal use with no employees and limited visitors.
- 6.2. There is an allowance for small-scale businesses to be run from private dwellings and the only reason this requires planning permission is due to the fact that part of the garage area will be lost to become the barbers. Therefore, given its sustainable location it is considered acceptable in principle, however there are other issues to be considered.

### Visual Amenity, street scene and landscape

- 6.3. The proposal will not be seen in the public domain as it is at the rear of the property with the exception of the door into the newly converted garage area, however this will not have such a significant impact on the visual amenities, street scene and urban landscape as to warrant refusal of the development. The proposal is therefore considered compliant in this regard with policy SCLP11.1 (Design) of the Adopted East Suffolk (Suffolk Coastal) Local Plan Policies.

### Concerns raised by Objectors and Residential Amenity considerations

- 6.4. There have been five objectors outlining a number of issues which will be considered in the paragraphs below.

#### Traffic/Danger to highway safety:

- 6.5. Elm Road is a narrow road off the Main Road through Kesgrave, servicing approx. 30 dwellings that leads to a dead end. The proposed site has at least three comfortable parking spaces within it where clients are proposed to park. The dwelling has three bedrooms requiring the need for two car parking spaces as set out by the Suffolk Guidance for Parking Technical Guidance leaving one space free for clients.
- 6.6. If the clients were to park within the site, they would not be contributing to the congestion within the street, nor would they be creating any increased danger to highway safety other than entering and leaving the road. If clients were to arrive one at a time as suggested, there would only be the addition of a single vehicle within the area at any given time. Although it is acknowledged the road does appear narrower than a standard road, and in evening times may get congested, this would not be due to the approval of this application but a continuing issue outside of the control of the applicant and the site, that is made no worse by the parking proposal within this application.

#### Loss of Privacy:

- 6.7. The operation of the proposal in itself would not be considered to cause the loss of privacy to neighbouring properties. If visitors choose to sit in their cars while they wait for clients at the site, this is not something that can be controlled within the planning system.

6.8. Noise and disruption:

6.9. Whilst there will be some noise generated from the use of tools such as hairdryers, this is not a constant noise but is more intermittent and is of a decibel level that is unlikely to cause such detriment and disturbance as to warrant refusal on noise grounds.

6.10. Any noise generated from vehicles would not be uncommon to the location due to the dense residential nature of the area and if clients were to arrive by appointment one at a time, this would not create any more significant noise or disturbance than what someone may expect within an area such as this for residential reasons. Any disruption of vehicles leaving their lights on again cannot be controlled within a planning consent and the issue would have to be dealt with through some other means.

6.11. The hours proposed are part time and although not at the usual working hours of the day, due to the relatively low volume of traffic generated, would not cause any substantial disturbance to neighbours.

6.12. The proposal therefore is not considered to cause substantial harm to the residential amenity of surrounding neighbours and therefore complies with policy SCLP11.2.

6.13. It has also been noted that the applicant may have erected a sign out the front of the property to advertise which property the barbers is operating within. This is not part of the application and if larger than what is permitted under the Town and Country Planning, Control of Advertisement Regulations (2007 (as amended) would require separate Advertisement Consent.

## **7. Conclusion**

7.1. As the design is acceptable and as noted above there is no significant impact on neighbour's amenity, the development is therefore considered to comply with the policies listed above. There should only be minimal impact on traffic levels so long as visitors park within the site. This has been conditioned to limit the impact on the highway.

## **8. Recommendation**

8.1. Approve planning permission, subject to conditions as outlined below.

### **Conditions:**

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Plan, Block Plan, Floor Plan & Proposed Info. received 05/10/20 and Elevation

received 09/10/2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The development hereby permitted shall not be used by members of the public outside the following hours:

16:00 - 20:00 Monday to Friday

09:00 - 12:30 Sunday

No works shall take place on Bank Holiday's

Reason: To ensure the amenities of adjacent residents are not adversely affected.

4. The Barbers unit hereby approved shall only be operated and used by one professional barber with one client at a time. It shall not be leased out or used independently from the host dwelling (12 Elm Road).

Reason: To ensure the building is used by the applicant only, or any successive owner of the building in the interests of safeguarding residential amenity.

5. A parking space shown on the Block Plan showing possible parking received 05/10/2020 shall be retained during business hours for clients of the barbers unit only and for no other purpose. Outside of these hours it can be used in conjunction with the normal domestic purposes of the dwelling.

Reason: To ensure that off-road client parking is provided during business hours.

#### **Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

#### **Background information**

See application reference DC/20/3946/FUL on [Public Access](#)

## Map



DO NOT SCALE SLA100019684

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.



## Key



Notified, no comments received



Objection



Representation



Support