PLANNING BY DESIGN
FROM CONCEPT TO COMPLETION

Planning Statement

Retrospective Change of Use of Existing Garden Studio to Beauty Salon (Use Class E)

29 Boundary Road, Upminster, RM14 2QS

On Behalf of Simone Myers

Prepared by Planning By Design

V3 08.10.2026

1. Introduction

Planning By Design has been instructed by Simone Myers to prepare and submit a retrospective full planning application to the London Borough of Havering for the continued use of an existing garden studio within the rear garden of 29 Boundary Road, Upminster, RM14 2QS as a small, appointment-only beauty salon within Use Class E.

The application follows correspondence from the Council's Planning Enforcement Service and seeks to regularise the existing use. No enlargement, rebuilding or external alteration of the studio is proposed. This statement describes the site and operation and assesses the proposal against the development plan, the National Planning Policy Framework and other material considerations.

2. Site Location

The application property is 29 Boundary Road, within the established built-up area of Upminster. The surrounding area is predominantly residential in character, comprising dwellings with associated gardens, boundary treatments, access arrangements and on-street parking.

The application relates to an existing single-storey garden studio positioned within the rear garden of No. 29. The submitted location plan identifies an application boundary of approximately 67 sq m encompassing the studio and the route of access from Boundary Road. Pedestrian access to the rear garden is available via the existing side access path and gated entrance. The block plan identifies existing timber board fencing along the relevant garden boundary.

The garden studio has a gross internal area of approximately 11 sq m. It is a modest proprietary garden building finished with timber cladding to the external walls, timber-clad fascia and soffit and uPVC-framed French doors. The existing building, boundary treatment and access arrangements are retained unchanged.

The application involves no additional hardstanding, excavation, tree removal or change to the residential plot. No site-specific heritage or environmental designation affecting the proposal has been identified in the project material reviewed. As no physical works are proposed, the main planning considerations relate to the operation of the salon.

3. Planning History

No relevant planning applications at 29 Boundary Road were identified during the feasibility review undertaken for this proposal.

The immediate planning context is provided by enforcement case ENF/54/26. By letter dated 10 September 2026, the Council's Senior Planning Enforcement Officer advised that the use of the rear garden outbuilding as a beauty salon did not benefit from planning permission and invited the applicant either to cease the use or to submit a retrospective full planning application. The present application responds directly to that correspondence and enables

the planning merits of the existing use to be considered through the normal development management process.

Separately, the applicant has confirmed that the London Borough of Havering first issued a Special Treatment Licence for Essex Beauty by Simone Myers at 29 Boundary Road on 23 October 2024 (Licence No. 27651). That licence is separate from planning control but confirms that the operation is subject to an additional regulatory regime governing matters including conduct, hygiene, waste, equipment and the provision of treatments.

4. Proposal

Retrospective permission is sought for the continued use of the existing 11 sq m garden studio as a small, appointment-only beauty and aesthetics salon, considered to fall within Use Class E(c)(iii). The salon began operating from the garden studio in or around 10 February 2025. The application concerns the use of the studio only: the building, garden layout and access remain unchanged, with no alteration to the building's footprint, height, doors, materials or elevations.

The applicant is the sole practitioner, with no employees. All visits are by prior appointment, booked directly or online, and the studio does not accept walk-in customers.

The applicant's general appointment availability is Monday and Tuesday 9.30am-5.30pm; Wednesday and Thursday 9.30am-8.00pm; Friday and Saturday 9.30am-5.00pm; and Sunday closed. These are availability windows only rather than guaranteed trading hours. The salon is not necessarily open on every listed day, including Mondays, and there are days when no appointments take place.

On a working day the applicant typically sees one to four clients. Appointments are individual and do not generally overlap; there is no multiple-client waiting area and clients are asked to arrive at their allotted time. Treatments generally last between 30 minutes and two hours.

Services include facials and skin rejuvenation, dermaplaning, microneedling, chemical peels, skin boosters and mesotherapy, LED treatments, lash and eyebrow treatments, lash extensions, and special occasion or bridal make-up. Only standard internal beauty treatment equipment is used.

There is no external signage, outdoor lighting, external plant, air-conditioning or mechanical extraction. There are no regular commercial deliveries; supplies are principally collected from wholesalers, with only occasional small parcel deliveries. Treatment waste is securely stored and appropriately disposed of.

Most clients generally walk to the property. Those who drive use on-street parking in the vicinity. The dwelling at No. 29 remains wholly in residential use. The application relates solely to the existing garden studio being used as an appointment-only beauty salon; no change of use of the dwelling is sought.

5. Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The retrospective application is made under the Town and Country Planning Act 1990. The salon is considered to fall within Class E(c)(iii) of the Town and Country Planning (Use Classes) Order 1987, as amended, which includes other services that it is appropriate to provide in a commercial, business or service locality, principally to visiting members of the public.

The National Planning Policy Framework was revised on 29 September 2026. The following national decision-making policies are particularly relevant:

- Policy S4 - Principle of development within settlements;
- Policy E2 - Meeting the need for business land and premises;
- Policy TC3 - Main town centre uses outside town centres;
- Policy DP3 - Key principles for well-designed places;
- Policies TR3, TR4 and TR6 - Sustainable locations, access, parking and transport impacts; and
- Policy P3 - Living conditions and pollution.

The London Plan 2021 forms part of the development plan. Relevant policies include Policy SD7 on the town centres first approach, Policy D3 on design, Policy D14 on noise and Policies T1, T2, T4 and T6 concerning strategic transport, healthy streets, transport impacts and parking.

The Havering Local Plan 2016-2031 was adopted in 2021. The policies most relevant to the proposal are:

- Policy 7 - Residential Design and Amenity;
- Policy 13 - Town Centre Development;
- Policy 23 - Transport Connections;
- Policy 24 - Parking Provision and Design;
- Policy 26 - Urban Design;
- Policy 34 - Managing Pollution; and
- Policy 35 - On-site Waste Management.

6. Assessment

Principle of Development

The proposal concerns an existing small garden building within the built-up area of Upminster. It creates no additional floorspace and causes no loss of residential accommodation. The dwelling itself remains wholly in residential use; the application relates solely to the use of the existing garden studio as an appointment-only salon. The salon is considered to fall within Class E(c)(iii) of the Use Classes Order as a service provided principally to visiting members of

the public. This is consistent with the Council's own enforcement correspondence, which describes the use as a beauty salon (Use Class E).

The operational scale is limited by the 11 sq m studio, sole-practitioner model and appointment system. There is no passing trade and normally no more than four clients attend on a working day. It is therefore materially different from a conventional high-street salon with several staff, overlapping customers and sustained activity.

National Policy E2 gives substantial weight to the economic benefits of commercial development that allows businesses to invest, expand or adapt. The proposal supports an established sole-trader micro-business and productive use of an existing building. The principle is acceptable provided the use remains compatible with its residential surroundings. Given the residential setting, the applicant would accept a suitably worded condition restricting the garden studio to the beauty and aesthetics salon described in this application, rather than an unrestricted Class E use. This would prevent materially different Class E activities from taking place without further planning consideration and provide an additional safeguard for residential amenity.

Town Centre Policy and Sequential Test

Havering Local Plan Policy 13 and London Plan Policy SD7 apply a town-centres-first approach to main town centre uses. NPPF Policy TC3 requires a sequential test for proposals for main town centre uses requiring planning permission where they are outside an existing centre and are not in accordance with an allocation for that purpose.

The NPPF glossary defines main town centre uses as retail development; leisure, entertainment and more intensive sport and recreation uses; banks; professional services; offices; and arts, culture and tourism development. Beauty salons and general personal services are not expressly identified within that definition. The fact that a use falls within Class E for the purposes of the Use Classes Order does not, of itself, make it a main town centre use for NPPF purposes. On that basis, the salon is not considered to engage the sequential test in Policy TC3 and a formal sequential assessment is not required.

If the Local Planning Authority nevertheless considers the sequential approach to be engaged, national Planning Practice Guidance advises that its application should be proportionate and appropriate to the proposal and that flexibility should be considered in relation to format and scale. The proposal is an 11 sq m studio operated solely by the occupier, with no employees, walk-in trade or customer waiting area and normally no more than four clients on a working day. Relocating this activity to a separate town-centre commercial unit would represent a materially different format from the small home-based business before the Council. In those circumstances, a separate conventional site search would be disproportionate to the nature and scale of the proposal.

In either case, the proposal has no realistic capacity to undermine Upminster town centre. With one practitioner, a maximum of around four clients on a normal working day and only 11 sq m of floorspace, any diversion of expenditure or footfall would be negligible. No town-centre impact assessment is required: the proposal is not a retail, leisure or office

development and, in any event, is far below Havering Policy 13's 200 sq m threshold for such assessments.

Design, Character and Visual Impact

No physical development is proposed. The existing timber-clad garden studio would remain as built, with no change to its footprint, height, fenestration or external materials. There is no signage, external lighting, air-conditioning, extraction equipment or other external plant that would give the garden a more commercial appearance.

The building is already established within the rear garden and is substantially contained from the street by the dwelling and existing boundary arrangements. The continued internal use therefore does not materially alter the appearance of the site or the character of Boundary Road. The proposal is consistent with the design objectives of the NPPF, London Plan Policy D3 and Havering Policy 26.

Residential Amenity, Noise and Disturbance

Residential amenity is an important consideration for a rear-garden business, but the nature and intensity of this use are tightly constrained by the studio's size and the appointment system.

The applicant works alone and typically sees one to four clients on a working day. Appointments do not generally overlap, there is no walk-in trade or external waiting area, and comings and goings are therefore intermittent rather than continuous.

All treatments take place inside the studio. There is no outdoor treatment activity, amplified entertainment, external plant, air-conditioning or extraction. The business is closed on Sundays, and later availability is limited to Wednesdays and Thursdays.

The Special Treatment Licence provides a separate regulatory framework addressing orderly conduct, hygiene, waste and treatment practices. Although distinct from planning control, it reinforces the managed nature of the operation. With low customer numbers, no staff and no external activity or plant, the use would not cause unacceptable noise, disturbance or loss of privacy and accords with Havering Policies 7 and 34, London Plan Policy D14 and NPPF Policy P3.

Highway Safety, Access and Parking

No alteration is proposed to the existing access, parking or highway arrangement. Clients use the established pedestrian access from Boundary Road, and the majority generally walk to the property.

Clients who drive use on-street parking in the vicinity. With one practitioner, normally no more than four clients in a day and little appointment overlap, any vehicle movements are dispersed and individual rather than concentrated.

There are no regular commercial deliveries. The use would not generate a significant amount of movement for the purposes of NPPF Policy TR6 and would not cause an unacceptable highway safety or network impact. It therefore accords with Havering Policies 23 and 24 and relevant London Plan and national transport policies.

Operational Management, Waste and Pollution

The appointment-only system controls the intensity of the use. There is no passing trade, external signage, lighting or plant capable of generating mechanical noise, vibration, fumes or odour.

Treatment waste is securely stored and appropriately disposed of. Its volume is limited by the low number of appointments, and occasional product deliveries are comparable to domestic parcels. No material pollution, waste-storage or servicing concern arises under Havering Policies 34 and 35.

Landscape, Trees, Biodiversity, Flood Risk and Drainage

The application involves no building operations, additional hardstanding, excavation, tree removal or alteration to existing landscaping. Existing drainage arrangements remain unchanged and no additional impermeable area is created. The change of use therefore gives rise to no material landscape, biodiversity, flood-risk or drainage effect.

7. Planning Balance

Economically, the proposal enables an established sole-trader micro-business to continue and supports local self-employment. This attracts positive weight under NPPF Policy E2.

Socially, the business provides a locally accessible service on a controlled appointment basis. Customer numbers are modest, most clients generally walk, and no residential accommodation is displaced.

Environmentally, the proposal reuses an existing 11 sq m building without extension, hardstanding, landscape loss or external plant. Its only material effects are the limited comings and goings associated with individual appointments.

Taken as a whole, the development supports a small local business without material harm to residential amenity, highway safety, town-centre vitality, character or the environment. The planning balance therefore favours retrospective permission.

8. Conclusion

The application seeks retrospective permission for the continued use of an existing 11 sq m garden studio at 29 Boundary Road as a small, appointment-only beauty salon considered to fall within Use Class E(c)(iii). The salon has operated from the garden studio since in or around 10 February 2025. No extension, external alteration or other building work is proposed, and the dwelling itself remains wholly in residential use.

The applicant works alone and typically sees one to four clients on a working day. Visits are pre-booked, appointments do not generally overlap and there is no walk-in trade or customer waiting area. Most clients generally walk; those who drive use nearby on-street parking. There are no regular commercial deliveries, signs, external lighting, air-conditioning, extraction equipment or other external plant.

The use is modest in physical and operational terms and would not cause unacceptable effects on neighbouring living conditions, highway safety or local character. A beauty salon is not expressly identified within the NPPF definition of a main town centre use and the sequential test is therefore not considered to be engaged. If the Council takes a different view, the exceptionally small, sole-operator, appointment-only format means that any application of the sequential approach should be proportionate to the development actually proposed.

The proposal accords with the relevant objectives of the Havering Local Plan, London Plan and National Planning Policy Framework when read as a whole. The Council is therefore respectfully requested to grant retrospective permission. The applicant would accept a reasonable condition restricting the use of the garden studio to the beauty and aesthetics salon described in this application, rather than an unrestricted Class E use, if the Council considers this necessary to protect residential amenity. The applicant and Planning By Design remain willing to work constructively with officers and to discuss reasonable and necessary conditions.