



planning direct

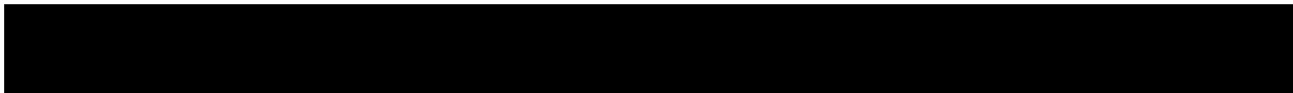


Planning, Design & Access Statement to accompany a full planning application at 23 Mayfly Way, Old Ipswich Road, Ardleigh, CO7 7WX

On behalf of: Rebecca Mackay Aesthetics Ltd

Prepared by: Elise Colombel

Date: 15.12.2023



NOTICE

This document has been prepared for the stated purpose in Accordance with the Agreement under which our services were commissioned and should not be used for any other purpose without the prior written consent of Planning Direct. We accept no responsibility or liability for the consequences of this document being used for a purpose other than that for which it was commissioned.

© Planning Direct. All rights reserved. No part of this document may be otherwise reproduced or published in any form or by any means, including photocopying, storage on a computer or otherwise, without the prior permission of the copyright holder.

Planning Direct is a trading name of Cicero Communication Ltd. Registered in England and Wales, no. 7986959.

July 2020



The Furnace, The Maltings, Princes Street,
Ipswich, IP1 1SB

Table of Contents

Introduction	4
Location & Site Description	6
Proposed Development	7
Planning History	10
Policy Justification	12
National	12
Local	13
Commentary	27
Principle of Development	27
Highway Safety & Parking Provision	29
Design.....	31
Amenity Impact	32
Conclusion.....	34

Introduction

This planning, design & access statement accompanies a full planning application for change of use at 23 Mayfly Way, Old Ipswich Road, Ardleigh, CO7 7WX.

Development proposals:

Change of use of a commercial unit from Class E/B8 to a beauty clinic (Sui generis).

Planning Direct has been instructed to produce this statement on behalf of Rebecca Mackay Aesthetics LTD, the applicant.

The applicant, Rebecca Mackay, is a Registered Specialist Nurse who had previously worked in A&E and Cardiac wards for 16 years. In 2018, Rebecca decided to follow her passion for aesthetics and completed stage 1 of her Level 7 training, after which she created her business, Rebecca Mackay Aesthetics.

The applicant has completed further training in order to comply with the most recent NICE guidelines and also to be able to improve the services she can provide her clients continually. She is fully insured, which enables her to work anywhere, including clinics, salons and clients' homes.

The applicant offers a wide range of treatments from lip filler and more, anti-wrinkle injections, facial treatments and laser hair removal (<https://rebeccamackayaesthetics.co.uk>)

The opening hours will conform to standard commercial hours operating Monday to Saturday between 10 am - 6 pm.

The location and size of the unit within the wider commercial site is ideal for the applicant's business.

The statement should be read in conjunction with the following documentation:

- 3029.01.1 - MACKAY - SITE LOCATION PLANS.pdf
- Existing and proposed site plan 2677-02-1

This planning statement has been produced in order to demonstrate that the propose development is fully compliant with current national and local planning policies should be viewed favourably by the Local Planning Authority (LPA).

Location & Site Description

The unit is located within a wider development site of 90 commercial units recently built under approved planning reference 18/02118/FUL. The registered address is 23 Mayfly Way, Colchester, CO7 7WX.

The application unit, access and parking provision have been identified on the location and site plans.

The site is in close proximity to Colchester City Centre and is reflective of the local area, which is predominantly characterised by commercial development.

The unit is located in a complex of 90 similar commercial units that are currently read for business occupation or recently occupied.

The site is not located within an area of specific designation (conservation area, green belt, flood zone) and the premises is not a listed building.

The application site lies outside of a recognised Settlement Development Boundary; the implications of this are discussed in the commentary section. Under planning reference 18/02118/FUL, planning permission has previously been granted for a total of 90 unit within Class E (formerly B1) and B8 uses.

Proposed Development

The proposal is for a change of use from Commercial (Class E/B8) to a Beauty clinic (Sui Generis). The unit is currently vacant, and the proposed development would be the first occupation of unit 23 since the site development (18/02118/FUL).

The site's design sees the commercial frontages facing inwards, each supplied with single parking space in front of the individual unit as seen in Fig1. Additional visitor parking consists of 7 spaces (3 of which are disabled spaces) for the use of all units on the site. An overflow parking area of 45 spaces is also planned (Fig2) below).

The applicant's proposed opening hours conform to those of a standard commercial premises, operating Monday to Saturday between 10 am - 6 pm. The business will be closed on Sundays and bank holidays. In the future, the applicant might consider employing another person.

No external alterations will be made to the unit, and internally moveable partitions will be used to create private space to conduct her services. Thus, the unit will retain the same open plan and minimalistic space as the other units on site when the applicant decides to vacate the premises.

No new signage is proposed on the front elevation beyond the utilisation of the existing uniform sign displaying the business name, which is located above the front door of each unit.

Communal refuse and recycling bins are provided on-site for all units' use; each unit does not arrange this individually. However, due to the nature of this business as a beauty clinic, clinical waste (by means of used sharps) will be created. The applicant intends to have a clinical waste bin, which will be kept onsite in a locked bin. Needle bins will be kept inside the unit. The clinical waste will be managed by a separate company with whom the applicant will enter into a contract.



Fig1. Unit 23 front elevation perspective.



Fig2. Overflow car parking

Planning History

There is no planning history for the specified unit. However, the planning history for the wider site is as follows:

- Outline planning application with all matters reserved for the residential development of 0.2 ha of land to create 4 detached dwellings with associated garaging and parking (following demolition of existing B1a offices and driving range shelter).
Ref. No: 15/00669/OUT | Status: Approval – Outline
- The construction of 91 small B1 & B8 use commercial units with ancillary facilities, associated car parking and landscaping; and the construction of 5 commercial office blocks with B1 use with associated car parking and landscaping.
Ref. No: 17/02204/FUL | Status: Approval – Full
- The construction of 90 small B1 & B8 use commercial units with ancillary facilities, associated car parking and landscaping; and the construction of 5 commercial office blocks with B1 use with associated car parking and landscaping.
Ref. No: 18/02118/FUL | Status: Approval – Full
- Discharge of condition 4 (Landscaping Scheme), condition 8 (Boundary Treatments), condition 11 (Archaeological Investigation), condition 16 (Materials) and condition 17 (Noise) of approved application 17/02204/FUL for B1 and B8 units only.
Ref. No: 19/00681/DISCON | Status: Approval – Discharge of Condition
- Discharge of condition 3 (site levels), condition 12 (surface water), condition 13 (flood scheme), condition 14 (maintenance plan) and condition 23 (foul water strategy) of approved application 17/02204/FUL.
Ref. No: 19/00850/DISCON | Status: Application Withdrawn
- Discharge of conditions 9 (Environmental Construction Method Statement), 10 (Surface Water), 11 (Run-Off), 12 (Maintenance Plan) and 20 (Foul Water) for approval 18/02118/FUL.
Ref. No: 20/00205/DISCON | Status: Approval – Discharge of Condition
- Variation of condition 2 (approved plans) of planning permission 18/02118/FUL to secure a number of design amendments, primarily to the proposed 90 commercial Evolve units.
Ref. No: 20/01372/FUL | Status: Approval – Full
- Discharge of conditions 3 (landscaping), 6 (landscape management plan) and 7 (boundary treatments) of approved application 18/02118/FUL.
Ref. No: 20/01414/DISCON | Status: Approval – Discharge of Condition
- Erection of single storey Office Building (Use Class B1a) with associated parking, cycle shelter and landscaping
Ref. No: 21/00185/FUL | Status: Approval – Full
- Discharge of conditions 14 (Floodlighting) and 16 (Disabled Access) of application 18/02118/FUL.
Ref. No: 22/00860/DISCON | Status: Approval – Discharge of Condition
- Variation of condition 2 of application 20/01372/FUL to reinstate the first-floor windows.
Ref. No: 22/01115/VOC | Status: Approval – Full
- Discharge of condition 7B (Highways) of application 22/01115/VOC.
Ref. No: 22/01133/DISCON | Status: Approval – Discharge of Condition
- Proposed erection of B8 storage and distribution units with ancillary mezzanine office space and associated access amendments, parking and landscaping.
Ref. No: 23/00136/FUL | Status: Pending Consideration
- Proposed provision of an overflow car park.
Ref. No: 23/00252/FUL | Status: Pending Consideration
- Proposed change of use from commercial (Class E/B8) to tattoo studio (Sui Generis).
Ref. No: 23/00346/FUL | Status: Approval – Full

-
- Change of use of a commercial unit from Class E/B8 to a tattoo studio (Sui generis).
- Ref. No. 23/01021/FUL | Status Approval - Full

N.B: At the time of writing, the LPA planning portal was not functioning; therefore, the planning history is provided to the best of our knowledge.

Policy Justification

National

National Planning Policy Framework July 2023

Paragraph 10

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 81

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

Paragraph 111

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Local

Tendring District Local Plan 2013-2033 and Beyond North Essex Author Shared Strategic Section 1 Plan (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development

When considering development proposals, the Local Planning Authorities will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. They will always work pro-actively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Development that complies with the Plan will be approved without delay, unless material considerations indicate otherwise.

SP5 Employment

A strong, sustainable and diverse economy will be promoted across North Essex with the local planning authorities pursuing a flexible approach to economic sectors showing growth potential across the Plan period. In order to meet the requirements for office, research & development, industrial, storage and distribution uses and to meet the appropriate flexibility in provision to meet the needs of different sectors, Section 2 of each plan will allocate employment land to ensure that provision is made within the ranges set out in the table below

Hectares of employment land required for office, research & development, industrial, storage and distribution uses:

	Baseline	Higher Growth Scenario
Braintree	20.9	43.3
Colchester	22.0	30
Tendring	12.0	20.0
North Essex	54.9	93.3

SP7 Place Shaping Principles

All new development must meet high standards of urban and architectural design. Development frameworks, masterplans, design codes, and other design guidance documents will be prepared in consultation with stakeholders where they are needed to support this objective.

All new development should reflect the following place shaping principles, where applicable:

- Respond positively to local character and context to preserve and enhance the quality of existing places and their environs;
- Provide buildings that exhibit individual architectural quality within well-considered public and private realms;
- Protect and enhance assets of historical or natural value;
- Incorporate biodiversity creation and enhancement measures;
- Create well-connected places that prioritise the needs of pedestrians, cyclists and public transport services above use of the private car;
- Provide a mix of land uses, services and densities with well-defined public and private spaces to create sustainable well-designed neighbourhoods;
- Enhance the public realm through additional landscaping, street furniture and other distinctive features that help to create a sense of place;
- Provide streets and spaces that are overlooked and active and promote inclusive access;

-
- Include parking facilities that are well integrated as part of the overall design and are adaptable if levels of private car ownership fall;
 - Provide an integrated and connected network of biodiverse public open space, green and blue infrastructure, thereby helping to alleviate recreational pressure on designated sites;
 - Include measures to promote environmental sustainability including addressing energy and water efficiency, and provision of appropriate water and wastewater and flood mitigation measures including the use of open space to provide flora and fauna rich sustainable drainage solutions; and
 - Protect the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL1 Managing Growth Settlement Hierarchy

Strategic Urban Settlements and Garden Community:

- Clacton-on-Sea (comprising Central Clacton, Jaywick Sands, West Clacton, Great Clacton (North), East Clacton and Holland-on-Sea)
- Harwich and Dovercourt (including Parkeston and part of Ramsey)
- The Tendring Colchester Borders Garden Community

Smaller Urban Settlements

- Frinton, Walton and Kirby Cross
- Manningtree, Lawford and Mistley
- Brightlingsea

Rural Service Centres

- Alresford
- Elmstead Market

-
- Great Bentley
 - Little Clacton
 - St. Osyth
 - Thorpe-le-Soken
 - Weeley

Smaller Rural Settlements:

- Ardleigh
- Beaumont-Cum-Moze
- Bradfield
- Frating
- Great Bromley
- Great Holland
- Great Oakley
- Kirby-le-Soken
- Little Bentley
- Little Bromley
- Little Oakley
- Ramsey Village
- Tendring
- Thorpe Station and Thorpe Maltings
- Thorrington
- Weeley Heath
- Wix
- Wrabness

This Policy contributes towards achieving Objectives 1 and 6 of this Local Plan.

SPL2 Settlement Development Boundaries

To encourage sustainable patterns of growth and carefully control urban sprawl, each settlement listed in Policy SPL1 (with the exception of the Tendring Colchester Border Garden Community) is defined within a 'Settlement Development Boundary' as shown on the relevant Policies Map and Local Map. Within the Settlement Development Boundaries, there will be a general presumption in favour of new development subject to detailed consideration against other relevant Local Plan policies and any approved Neighbourhood Plans.

Outside of Settlement Development Boundaries, the Council will consider any planning application in relation to the pattern and scales of growth promoted through Settlement Hierarchy in Policy SPL1 and any other relevant policies in this plan.

An exemption to this policy is provided through the Rural Exception Site Policy LP6.

The Tendring Colchester Borders Garden Community will be the subject a separate Development Plan Document (DPD) containing its own policies designed to guide the location of development in the broad location identified on Diagram 10.2 in Section 1 of the Local Plan and Map B.7

This Policy contributes towards achieving Objectives 1 and 6 of this Local Plan.

SPL3 Sustainable Design

Part A: Design. All new development (including changes of use) should make a positive contribution to the quality of the local environment and protect or enhance local character.

The following criteria must be met:

- a. new buildings, alterations and structures are well designed and maintain or enhance local character and distinctiveness;
- b. the development relates well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials;
- c. the development respects or enhances local landscape character, views, skyline: landmarks, existing street patterns, open spaces and other locally important features;
- d. the design and layout of the development maintains or enhances important existing site features of landscape, ecological, heritage or amenity value; and
- e. boundary treatments and hard and soft landscaping are designed as an integral part of the development reflecting the function and character of the development and its surroundings. The Council will encourage the use of locally distinctive materials and/or locally occurring and characteristic hedge species.

Part B: Practical Requirements. New development (including changes of use) must meet practical requirements. The following criteria must be met:

-
- a. access to the site is practicable and the highway network will, following any required mitigation, be able to safely accommodate the additional traffic the proposal will generate and not lead to severe traffic impact;
 - b. the design and layout of the development maintains and/or provides a convenient access for people with mobility impairments;
 - c. the development incorporates or provides measures to minimise opportunities for crime and anti-social behaviour;
 - d. the applicant/developer can demonstrate how the proposal will minimise the production of greenhouse gases and impact on climate change as per the Building Regulations prevailing at the time and policies and requirements in this plan;
 - e. buildings and structures are designed and orientated to ensure adequate daylight outlook and privacy for future and existing residents;
 - f. provision is made for adequate private amenity space, waste storage and recycling facilities, vehicle and cycle parking; and
 - g. the development reduces flood risk and integrates sustainable drainage within the development, creating amenities and enhancing biodiversity.

Part C: Impacts and Compatibility. New development (including changes of use) should be compatible with surrounding uses and minimise any adverse environmental impacts. The following criteria must be met:

- a. the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties;
- b. the development, including any additional road traffic arising, will not have unacceptable levels of pollution on: air, land, water (including ground water), amenity, health or safety through noise, smell, dust, light, heat, vibration, fumes or other forms of pollution or nuisance;
- c. the health, safety or amenity of any occupants or users of the proposed development will not be materially harmed by any pollution from an existing or committed use; and
- d. all new development should have regard to the most up to date adopted Epping Miners' Local Plan; and
- e. during the construction phase, developers must comply with a 'construction management scheme' which employs reasonable measures and techniques to minimise and mitigate impacts and disturbance to neighbours and the existing wider community and any damage to public and private property.

All new development (including changes of use), should incorporate climate change adaptation measures and technology from the outset including reduction of emissions: renewable and low carbon energy production, passive design, and through infrastructure techniques, where appropriate.

When considering new development, applicants and developers should avoid adverse impacts upon the environment. Where this is not possible, mitigation measures should be put forward. As a last resort, compensate for adverse environmental impacts.

Any measures necessary to meet the above requirements are to be established by the applicant/developer.

This Policy contributes towards achieving Objectives 6, 7 and 8 of this Local Plan.

PP13 The Rural Economy

To support growth in the rural economy, the Council may grant planning permission for the following types of development in the countryside outside of defined Settlement Development Boundaries, subject to detailed consideration, including against the policy requirements in this Local Plan:

- a. Where appropriate to the historic environment, conversion or re-use of rural buildings in the countryside to employment, leisure or tourism use;
- b. business and domestic equine related activities;
- c. agricultural and key workers' dwellings; and
- d. buildings that are essential to support agricultural, aquaculture, horticulture, forestry; and farm diversification schemes.

The Council will permit sustainable development proposals for farm and other based diversification schemes that benefit the rural area. Proposals for re-use/redevelopment of rural buildings for employment purposes will be considered against the following criteria unless the economic benefits outweigh these criteria:

- e. the building is structurally sound and capable of accommodating the proposed use without the need for significant extension or alteration or reconstruction;

-
- f. the proposed use (including any proposed alteration or extensions to the building), its associated operational area, the provision of any services, and/or any amenity space or outbuildings, would not harm its appearance as a rural building or adversely affect the rural setting of the building in the locality;
 - g. the proposed use would not create significant levels of traffic, particularly lorries, on rural roads (proposals for employment uses will be required to include a sustainability assessment which may include a Travel Plan designed to maximise the opportunities to reduce the need to travel by private car);
 - h. proposals which would create a significant number of jobs should be required to be accessible by public transport; and
 - i. it will not lead to unacceptable levels or types of traffic or problems of road safety or amenity and will not require highway improvements which will harm the character of rural roads in the area.

This Policy contributes towards achieving Objectives 2, 6, 8 and 10 of this Local Plan.

CP1 Sustainable Transport and Accessibility

Proposals for new development must be sustainable in terms of transport accessibility and therefore should include and encourage opportunities for accessible sustainable modes of transport, including walking, cycling and public transport. Providing options for non-motorised vehicles is especially important for the large-scale developments at Clacton and the Tendring Colchester Borders Garden Community.

Planning applications for new major development likely to have significant transport implications will normally require a Transport Statement. If the proposal is likely to have significant transport implications or a Transport Assessment, the scope of which should be agreed in advance between the District Council and the applicant, in consultation with Essex County Council as the Highway Authority. In order to reduce dependence upon private car transport, improve the quality of life for local residents, for business and improve the experience for visitors, all such applications should include proposals for walking and cycling routes and new or improved bus-stops/services. Where relevant, improvements to railway station passenger facilities should be included and greater connectivity between places and modes of transport demonstrated.

Travel Plans and Residential Travel Information Packs should be provided where appropriate and in accordance with Essex County Council published guidance.

The Essex Cycling Strategy will be used as a guide to ensure the provision of appropriate cycling infrastructure.

This Policy contributes towards achieving Objectives 4 and 6 of this Local Plan.

CP2 Improving the Transport Network

- Proposals for new development which contribute to the provision of a safe and efficient transport network that offers a range of sustainable transport choices will be supported. Major development proposals should include measures to prioritise cycling and pedestrian movements, including access to public transport.
- The Tendring Colchester Borders Garden Community will require a strategic link road between the A120 and A133 and a Rapid Transit System to support the new Garden Community. These infrastructure works have secured funding from the Home Office Infrastructure Fund and are currently subject to further and more detailed planning and delivery. Further transport assessment work will be undertaken by Essex County Council (the highway authority) and Tendring District Council to identify the optimal route, specification and design of access improvements (including public transport and active travel) to Clacton from the A133 to the western side of the town. This will improve existing accessibility and support new growth areas and future development.
- Proposals will not be granted planning permission if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe.

This Policy contributes towards achieving Objectives 4 and 6 of this Local Plan.

Parking Standards for Use Class A1: Shops

Shops, Retail Warehouses, Hairdressers, Undertakers, Travel and Ticket Agencies, Post Offices, Pet Shops, Sandwich Bars, Showrooms, Domestic Hire Shops, Dry Cleaners and Funeral Directors.

Standard:

Use	Vehicle	Cycle	PTW	Disabled
	Maximum	Minimum	Minimum	Minimum
A1 (excluding food stores)	1 space per 20 sqm	1 space per 400 sqm for staff and 1 space per 400 sqm for customers	1 space, + 1 per 20 car spaces (for 1 st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 vehicle bays or less = 3 bays or 6% of total capacity, whichever is greater, Over 200 vehicle bays = 4 bays plus 4% of total capacity
A1 (Food stores)	1 space per 14 sqm			

**Parking Standards for Use Class A2:
Financial and Professional Services**

Banks, Building Societies, Estate and Employment Agencies,
Professional and Financial Services and Betting offices.

Standard:

Use	Vehicle	Cycle	PTW	Disabled
	Maximum	Minimum	Minimum	Minimum
A2	1 space per 20 sqm	1 space per 100 sqm for staff plus 1 space per 200 sqm for customers	1 space, + 1 per 20 car spaces (for 1 st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 vehicle bays or less = 2 bays or 5% of total capacity, whichever is greater, Over 200 vehicle bays = 6 bays plus 2% of total capacity

Parking Standards for Use Class B1: Business

Offices, Research and development, Light Industry appropriate in a residential area.

Standard:

Use	Vehicle	Cycle	PTW	Disabled
	Maximum	Minimum	Minimum	Minimum
B1	1 space per 30 sqm	1 space per 100 sqm for staff plus 1 space per 200sqm for visitors	1 space, + 1 per 20 car spaces (for 1 st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 vehicle bays or less = 2 bays or 5% of total capacity, whichever is greater, Over 200 vehicle bays = 6 bays plus 2% of total capacity

Ardleigh Draft Neighbourhood Plan

Policy GDP General Approach to Development

1. Small scale development will be supported where:
 - a. The site is within Settlement Development Boundaries; and
 - b. The development is consistent with all other relevant Neighbourhood Plan policies.

2. With the exception of the Tendring/Colchester Borders Garden Community, r development outside of the Settlement Development Boundaries will not generally be permitted unless it is consistent with all other relevant Neighbourhood Plan policies; and:

Housing development

- a. It is a Rural Exception Site in full accordance with local policy LP 6;
- b. It is a small development of Self/Custom Build Homes in full accordance with local policy LP 7; or
- c. It is for the 1:1 replacement of an existing dwelling that would both enhance local character and improve the site's overall energy efficiency and/or sustainability.

All other development

- d. The proposal is modest in scale and impact; and
- e. It would provide necessary support for a new or existing business that is appropriate to the rural area; or
- f. It would directly provide for the conservation, enhancement or appropriate enjoyment of the countryside.

Policy TP Transport & Parking

1. With the exception of the Tendring/Colchester Borders Garden Community, development likely to generate significant amounts of movement and/or to have significant transport implications* will be strictly resisted throughout the parish.

*For the purposes of this policy, this includes any development that is of a scale to trigger a local or national requirement to provide a Travel Plan, Transport Statement or

Transport Assessment.

2. Development that is consistent with all other relevant Neighbourhood Plan policies will be strongly supported where it would:
 - a. Improve road safety;
 - b. Reduce parking pressures or the occurrence of inappropriate parking;
 - c. Provide appropriate traffic control;
 - d. Improve existing cycle or walkways; or
 - e. Provide new cycle or walkways.
3. Permission will be refused for any development that is likely to materially exacerbate existing transport, congestion, accessibility or parking issues, particularly along and in proximity of The Street and Old Ipswich Road.
4. Development likely to undermine or pre-empt the delivery or development of a forthcoming Garden Community and its associated transport infrastructure will be strictly resisted.
5. Parking provision should be considered as an integral feature of a development design, addressed in the earliest design stages.
6. All new development should provide parking in accordance with both the Local Planning Standards and the Essex Design Guide**, to include:
 - a. Number of spaces;
 - b. Location of spaces (i.e. in or out of the curtilage); and
 - c. Layout, size and design of spaces.

**including subsequent revisions and/or subsequent replacement guidance

Essex Design Guide

Commentary

Principle of Development

The current use of the site is commercial (Class E/B8) as per the original application for the development of the 90 units (18/02118/FUL). The site, therefore, falls employment use, as does the proposed use.

However, the proposed use as a beauty clinic being Sui Generis requires a full planning application. Therefore, it is necessary to consider the principle of development.

In this case, the most relevant local policies are SP5, PP6, PP13, SP1, SPL1, SPL2 and SPL3.

Policy SPL1 sets out the Settlement Hierarchy, and policy SPL2 concerns Settlement Development Boundaries. In this case, the site is in Ardleigh, defined as a Smaller Rural Settlement. However, it is outside its Settlement Development Boundaries therefore, policy PP13 applies. In this case, the development would make employment use of an existing building in the rural area specifically intended for employment purposes. In this manner, it complies with policies PP6 and PP13.

The beauty clinic will support employment and will, therefore, help support a strong sustainable, and diverse economy in accordance with policy SP5. In this way, it will also help to improve the economic and social condition of the area in accordance with policies SP1 and SPL3. It will also be contained within an existing employment site with no physical development required. It will thereby avoid any material environmental impacts in accordance with the same policies.

Two applications were recently approved for the conversion of a couple of other units within the same commercial block (No. 7 & 21) to tattoo studios (23/00346/FUL and 23/01021/FUL). In those cases, the LPA found the principle of development acceptable, having particular regard to local policies SP5, PP6, PP13, SP1 and SPL3. As this application concerns the same location and the same type of development, all of the same planning considerations and policies apply. In the essential interest of consistency in decision-making, it is considered that a similar judgement will be made.

here.

Although still in draft form, the Ardleigh Neighbourhood Plan attracts some weight at this stage. In terms of the principle of development Neighbourhood Plan Policy, GDP has the most relevance. In this case, the proposal is modest in scale and impact and would provide necessary support for a business that is appropriate to its specific rural location. Therefore, Policy GDP is met.

Highway Safety & Parking Provision

The site's location is rural, and therefore, opportunities to access sustainable transport are more limited. In this case, however, the site's commercial use has been established by previous consent (18/02118/FUL) for 90 commercial units. This development concerns the commercial change of use of just one of the approved units. It would not therefore, present any objectionable conflicts with policy CP1 or CP2 in terms of sustainability or accessibility.

Additionally, the small size of the unit and the nature of the appointment-only service renders any parking or congestion difficulties highly improbable.

Policies CP1 and CP2 are also concerned with suitable parking provisions and expect compliance to be demonstrated with ECC parking standards.

A beauty clinic (Sui Generis use) does not have specified parking standards within the ECC Parking Standards. However, it would be reasonable to apply other commercial parking standards to understand what would be adequate. Uses within the now Class E use class, such as the previous A1, A2, or B1 uses, would be most applicable to a Sui-Generis use. The standards for these class E uses require one parking space per 20 or 30 sqm.

Applying this standard to the current site¹ the proposed development would require one parking space.

In this case, the unit benefits from one allocated space for its own use. The unit also has access to an area of visitor parking. These spaces are indicated on the site plan 3029.01.1.

Therefore, parking is considered to be acceptable and in accordance with ECC parking standards, local policies CP1 and CP2 and Neighbourhood Plan Policy TP.

Two applications were recently approved for converting 2 other units within the same commercial block (No. 7 & No. 23) to tattoo studios (23/00346/FUL & 23/01021/FUL). In

¹ Measuring c. 25

that case, both the LPA and ECC as Highways Authority found the highway parking impact of the developments to be acceptable and to comply with ECC parking standards and policies CP1 and CP2². This application concerns the development of the same type on the same site and with exactly the same parking arrangements. In essential interests of consistency in decision-making, it is considered that a similar judgement will be made here.

² The Highways Authority found the impact of the proposal to be acceptable subject to a condition that required parking to be provided as shown on the plans. In this case the applicant is willing to comply with the same condition as the parking is already in place.

Design

Local policies SPL3 and SP7 require high-quality design that maintains or enhances local character. In Essex, these policies are supported by the Essex Design Guide. In this case, the application site forms part of a wider commercial block that was approved in 2018 (18/02118/FUL). The development includes no physical changes to the exterior or interior of the unit. Therefore, the design approved by the LPA in 2018 will not be subject to any changes and will remain acceptable.

Policy SPL3 also requires that the design of a development is suitable and practical for its use. In this case, the proposal concerns the small-scale commercial use of a small scale commercial unit. Therefore, the unit's design is specifically tailored to the proposed use.

With regard to the above matters, it is considered that policies SPL3 and SP7 are met and there is no conflict with the Essex Design Guide.

Amenity Impact

Local policies SPL3 and SP7 require new development to be compatible with surrounding uses and to avoid materially damaging impacts on the amenity of occupiers of nearby properties. In this case, the application site forms part of a wider commercial block that the LPA approved in 2018 (18/02118/FUL). The proposal is for a relatively low-impact and small-scale commercial use, so it will naturally be compatible with its commercial neighbours.

There are no residential properties located within the immediate local employment complex. Therefore, materially harmful impacts on residential amenity would be entirely avoided.

In the case of a recent application on the same estate³, the LPA found:

“The proposed use of Unit 87 as a tattoo studio would not give rise to any tangible amenity nuisance beyond the immediate confines of the units and no amenity objections are therefore raised under Policies SP7 and SPL3 of the adopted Local Plan. The proposed operating hours are noted and it is considered that these are reasonable in the context of the commercial use of the site.”

Furthermore, in the delegated report for 23/01021/FUL (Unit No. 23), the Officer found:

“NPPF, Paragraph 17, states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy SPL 3 states that all new development must meet practical requirements, it must be designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents.

The proposed use will be open Monday - Saturday, 10am - 6pm. The proposed tattoo studio is located amongst other commercial uses such as a hair dressers which have similar opening hours and days to the proposed use. It is therefore considered that the proposed use will not cause impact upon residential amenities.”

³ application (ref) for “description”, approved by the LPA on (decision)

This development proposes the following operating hours:

Monday to Saturday, 10 am to 6 pm; Sundays and bank holidays are closed.

Therefore, it is anticipated that the operating hours proposed here will be considered similarly acceptable.

Conclusion

It is considered that the proposed change of use is in compliance with regulations at both national and local levels, being in accordance with the relevant policies of the NPPF 2023, Tendring District Local Plan 2013-2033 and its Sections 1 and 2, the draft Ardleigh Neighbourhood Plan, Essex Parking standards design and good practice 2009 and the Essex Design Guide.

The change of use retains the commercial use of the current unit and actively benefits the local area, providing employment and contributing to the local economy. There are no objectionable access issues, and no interior/exterior changes will be made to the unit.

It is the professional opinion of Planning Direct that this application ought, therefore, to be approved without delay.

The applicant expects the council to bring any potential issues arising with the proposal to the attention of Planning Direct at the earliest opportunity, in order that clarifications can be provided and/or solutions agreed where appropriate.