

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	16/07/18
Planning Development Manager authorisation:	AN	16/7/18
Admin checks / despatch completed	ER SB	17/7/18 19/07/18

Application: 18/00826/FUL **Town / Parish:** Lawford Parish Council

Applicant: Manningtree High School

Address: Manningtree High School Colchester Road Lawford

Development: Installation of structure to cover existing swimming pool.

1. Town / Parish Council

Lawford Parish Council Council supports this application

2. Consultation Responses

Building Control and Access Officer No comments at this time.

3. Planning History

00/01684/FUL	Extension to staffroom within quadrangle	Approved	17.11.2000
01/02053/FUL	Provision of additional parking spaces to front of school building	Approved	18.01.2002
93/00586/FUL	(Manningtree School, Colchester Road, Lawford) [CC/TEN/13/93] Continued use of relocatable classroom	Determination	05.07.1993
97/00478/FUL	Single storey classroom block	Approved	27.05.1997
97/00746/FUL	Installation of 6 temporary classrooms in 3 separate units	Approved	15.07.1997
97/00949/FUL	Single storey classroom block	Approved	01.09.1997
98/00630/FUL	Single storey music/changing block	Approved	11.06.1998
99/00598/FUL	Construction of pitched roof to two storey block	Approved	07.06.1999
99/00983/TELCO M	Installation of revised antennae and equipment housing and development ancillary thereto	Determination	28.07.1999

03/00745/FUL	Extension to existing sports hall to form new hall, changing facilities and ancillary accommodation	Approved	09.06.2003
96/00025/TELCO M	Mast and telecoms apparatus	Determination	16.10.1996
97/00007/TELCO M	Telecomms equipment	Determination	27.03.1997
09/01291/FUL	New food technology extension and installation of new link canopy walkway.	Approved	22.03.2010
12/00518/FUL	Proposed extension to create store room.	Approved	29.06.2012
14/00100/FUL	Proposed pool plant/storage building.	Approved	24.03.2014
14/00248/FUL	Installation of one modular (temporary) classroom.	Approved	07.04.2014
14/01563/FUL	Demolition of existing dilapidated block and erection of new two storey stand-alone building.	Approved	04.12.2014
15/00438/FUL	Construction of a floodlit multi use games area and extension of school playing field.	Approved	04.08.2015
16/00224/DISCON	Discharge of condition 05 of planning permission 15/00438/FUL - Construction Method Statement.	Approved	02.06.2016
16/00855/FUL	Variation of condition 2 of planning application 14/01563/FUL to vary approved drawings to change approved two storey building to single storey.	Approved	08.09.2016
17/01717/FUL	Demolition of existing 'horsa' block, replacement with new extension to expand dining facilities, and provide a drama block and activity studio. Surrounding area to be hard landscaped. Proposed extension to existing tech block.	Approved	11.12.2017

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. Importantly the Inspector has confirmed that the housing requirement for Tendring of 550 new homes per annum for the period up to 2033 is based upon sound evidence. There are however concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal

Site Description

The site is situated to the north of Colchester Road, Lawford and serves Manningtree High School. Within the site, to the east is Manningtree Sports Centre, and to the north east is Highfields County Primary School and Busy Bees Kindergarten. The site has residential properties adjoining the northern, southern and eastern boundaries with an open field to the west. The site falls within the Settlement Development Boundary for Manningtree within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

Description of Proposal

This application seeks planning permission for the installation of a lightweight aluminium and polycarbonate structure, which will act as a cover for the existing swimming pool.

Assessment

The main elements of assessment for this proposal are the visual impact and the impacts to neighbouring amenities.

Visual Impact

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The existing swimming pool is well set back, approximately 80m, from the street scene, hidden behind existing metalled and boarded fencing measuring approximately 1.8m in height. That notwithstanding the proposed structure will have a peak height of 3.6m and will therefore be partially visible. However, given that the surrounding buildings are of a larger height it is considered that the proposal will assimilate well within its surroundings, whilst its aforementioned siting will ensure views from the street scene will be extremely limited. Therefore the visual impact is not considered to be harmful.

Impact to Neighbouring Amenities

The NPPF, at 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. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

There are a number of residential properties to both the south and east who will have views of the proposal. However, given there are separation distances of a minimum 40m and the highest point is just 3.6m, the impact to existing amenities in terms of loss of light or the proposal appearing imposing will be neutral, whilst there will also be no overlooking as a result.

Other Considerations

Lawford Parish Council supports the application.

There have been three letters of support received, including one from the Local Ward Member, who agree the proposal will improve the swimming pools level of usage and will be a benefit to the community.

Conclusion

In the absence of any significant material harm as a result of the proposed development, the application is recommended for approval.

6. Recommendation

Approval.

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans, titled 'View on top', 'elevation', 'end panels', the untitled Site Location Plan and Block Plan, and the submitted Design and Access Statement.

Reason - For the avoidance of doubt and in the interests of proper planning.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.