

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	07/08/2018
Planning Development Manager authorisation:	AN	9/8/18
Admin checks / despatch completed	JLE	10/08/18

Application: 18/00751/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Mr Jim Gibson - Penguin Random House UK

Address: The Book Service Colchester Road Frating

Development: Proposed in filled area creating a three-sided enclosure underneath part of the existing canopy, to create temporary, short term holding space for palletised stock.

1. Town / Parish Council

Great Bentley Parish Council makes no objection to this application

2. Consultation Responses

ECC Highways Dept The Highway Authority does not object to the proposals as submitted.

Informative 1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

3. Planning History

91/00821/OUT	Business Park comprising approximately 400,000 sq ft of Classes B1, B2 and B8 uses and access to Colchester Road and off site sewer works.	Approved	11.04.1994
--------------	--	----------	------------

95/01166/DETAIL	Distribution facility for 24 hour operation comprising principally goods receipt and despatch, storage, order processing, together with loading/unloading facilities, ancillary office accommodation and car parking.	Approved	18.01.1996
-----------------	---	----------	------------

96/00845/FUL	Distribution facility for 24 hour operation comprising principally goods receipt and dispatch, storage, order processing, together with loading/unloading facilities, ancillary office accommodation and car parking.	Approved	06.08.1996
97/00844/ADV	(The Book Service Ltd., Distribution Centre, Land north of Colchester Road, Great Bentley) Signage on north and east elevations	Approved	28.08.1997
97/00845/FUL	() Application for CCTV mast installations, revised office canopies, flag pole installation and a stand-by generator exhaust flue to control room all as a variation to planning permission TEN/95/1166/D	Approved	28.08.1997
97/00846/FUL	() Use of wildflower meadow north of building to be mown and used occasionally as a football pitch (part variation to condition 3 imposed upon planning permission TEN/95/1166)	Refused	28.08.1997
99/01768/FUL	Modular building 9m x 12m, to provide extension to existing canteen	Approved	10.02.2000
00/01479/FUL	Expansion of facility comprising additional 5870m ² high bay warehouse, additional 2790m ² low bay warehouse, additional 1534m ² offices, additional 191m ² staff facilities, new service yard and access road	Approved	27.06.2001
01/00512/FUL	Extension to office/staff facilities	Approved	18.06.2001
05/00837/FUL	Variation of condition 1 of planning permission 00/01479 .	Approved	15.07.2005
06/00926/FUL	Proposed communication equipment enclosure.	Approved	26.07.2006
07/01973/ADV	2 x high level, externally illuminated signs. Dimension: 8000mm x 3800mm.	Approved	
08/00179/ADV	Erection of 2 no. high level externally illuminated signs (signs 20 and 21).	Refused	11.04.2008
08/01124/ADV	Retention of 2 no. signs (signs 20 and 21).	Approved	16.10.2008

09/00188/TELCO M	Free standing pole mount on roof of building.	Current	10.03.2009
10/00776/FUL	Variation of Condition 1 of planning permission 00/01479/FUL (extension of time of previously approved application 05/00837/FUL).	Approved	05.10.2010
13/30060/PREAPP	Creation of hardstanding to provide car parking for an additional 100 cars, to include stone chippings, concrete kerbs and a prepared base.	Approved	
14/00059/FUL	Proposed car parking to provide 100 additional bays including the removal and relocation of a number of existing young trees to facilitate the parking.	Approved	18.03.2014
14/00462/DISCON	Discharge of conditions 03 (Biodiversity) and 04 (Lighting Columns) of approved application 14/00059/FUL.	Approved	25.04.2014
15/30016/PREAPP	Installation of an energy-efficient ventilation system and replacement split systems.		11.02.2015
16/01627/FUL	Proposed car parking to provide 39 additional bays.	Approved	08.12.2016
17/00649/FUL	Proposed installation of security gatehouse and barrier.	Approved	14.07.2017
17/00650/FUL	Proposed single storey extension and internal rearrangement to existing canteen.	Approved	14.07.2017
17/00651/FUL	Proposed single storey extension to existing toilet block including addition of a disabled WC.	Approved	13.07.2017
17/00652/FUL	Single storey extension to reception area, removal of existing internal lobby space and installation of turnstiles.	Approved	13.07.2017
17/00988/FUL	Proposed temporary external office accommodation comprising of 6 modules fixed together.	Approved	14.09.2017
17/01635/FUL	Proposed single storey extension.	Approved	29.11.2017

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

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

ER1 Employment Sites

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

SPL3 Sustainable Design

PP6 Employment Sites

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) 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 48 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. They raise 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 48 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 (including Site Description and Proposal)

Site Description

The application site is The Book Service, Colchester Road, Frating, a large south facing commercial unit with associated car parking and landscaping. The character of the surrounding area is a mixture of urban and rural, with examples of built form to the east and west and large areas of grassed or agricultural land to the north and south. The site falls outside of the Settlement Development Boundary for the area as defined within both the adopted Tendring Local Plan 2007 and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017

Description of Proposal

The application seeks full permission for the infilling of an existing canopy area to create temporary short term holding space for palletised stock.

The additional external walls enclosing the area will be finished in full height metal panelling to match the existing building.

The area to be enclosed measures 60 metres in length by 15 metres in width under the existing canopy area approximately 7 metres in height.

Assessment

The main consideration in this instance is the visual impact of the proposed development.

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).

Although large in length, the proposal will simply infill an existing canopy area and is therefore fairly minor in nature when viewed in relation to the scale of the site as a whole. The finish of the infill will match the materials used on the existing building blending the development into the backdrop of the existing building. The building is well set back from the highway and screened by dense mature landscaping resulting in little to no wider visual impact.

Representations

Great Bentley Parish Council makes no objection to this application

Essex County Council Highway Authority raise no objection.

No other letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

6. Recommendation

Approval - Full

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: Dwg No. PBL100 Revision No. A, Dwg No. P200 and 'General plan layout of proposed canopy enclosure'.

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.