

PLANNING COMMITTEE

18 September 2018

REPORT OF THE HEAD OF PLANNING

A.3 PLANNING APPLICATION – 18/01131/FUL – 112 CONNAUGHT AVENUE, FRINTON-ON-SEA CO13 9AA



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Application:	18/01131/FUL	Town / Parish: Frinton and Walton Town Council
Applicant:	Harwoods of Essex	
Address:	112 Connaught Avenue, Frinton-on-Sea	
Development:	Proposed sub-division of existing A1 shop into three A1 shops.	

1. **Executive Summary**

- 1.1 This application is to be determined by the Planning Committee as Councillor Platt is a director for the application site.
- 1.2 This application seeks planning permission for the sub-division of the existing A1 (Shops) unit to create three new A1 (Shops) units.
- 1.3 The unit in question has been vacant for some time and the proposal for a sub-division to three A1 units will help to support the local town centre in providing more choice and variety in the shops available. Therefore, the principle of development is acceptable.
- 1.4 The proposal will not result in any material harm to visual or residential amenity, or highway safety.

Recommendation: Approval

Conditions:

1. Standard time limit; and
2. Approved plans;

2. **Planning Policy**

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007:

ER32a Primary Shopping Area

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL1 Managing Growth

SPL3 Sustainable Design

Local Planning Guidance:

Essex County Council Car Parking Standards - Design and Good Practice

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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.

3. Relevant Planning History

05/01532/FUL	Single storey extension to existing retail unit with flat roof	Refused	25.10.2005
05/01981/FUL	Single storey extension to existing retail unit with flat roof	Approved	26.01.2006
06/01668/FUL	Construction of flat roof rear extension to provide ancillary area for shop and ATM to front.	Withdrawn	20.12.2006
07/00001/FUL	Retention of flat roof rear extension to provide ancillary area for shop, associated air conditioning units and ATM and trolley park railings to		10.10.2007

front elevation.

08/00037/FUL	Retention of air conditioning and plant to rear of premises.	Refused	18.04.2008
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4. Consultations

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

5.1 Frinton and Walton Town Council recommend approval.

5.2 No other letters of representation have been received.

6. Assessment

Site Context

6.1 The application site is located on the north-eastern section of Connaught Avenue within the parish of Frinton-on-Sea. The site measures approximately 250 square metres in size and has been vacant for a number of years, although upon site inspection appears to be currently utilised by Harwoods of Essex, a local department store located adjacent to the north. The surrounding area is urban in character, with a number of commercial and residential properties to all sides.

6.2 The site falls within the Settlement Development Boundary for Frinton-on-Sea, as agreed in both the Adopted Tendring Local Plan 2007 and the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Proposal

6.3 This application seeks planning permission for the sub-division of the existing A1 (Shops) unit to create three new A1 (Shops) units.

6.4 The works will involve only minor external changes; namely the conversion of the conversion of the existing window to the southern elevation to an entrance door with two windows, the conversion of the existing doors to the northern elevation to a window, and the inclusion of doors to the north-western corner.

Principle of Development

6.5 The unit in question has been vacant for some time and the proposal for a sub-division to three A1 units will help to support the local town centre in providing more choice and variety in the shops available. Therefore, the principle of development is acceptable subject to the detailed consideration below.

Visual Appearance

6.6 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).

- 6.7 The proposed development will result in predominantly internal amendments; however the works involved will result in slight amendments to the southern side elevation, with the existing ground floor window to be converted to an entrance door with two smaller windows, and to the northern elevation, with the conversion of the existing doors to a window and the inclusion of doors to the north-western corner.
- 6.8 Whilst these changes will be visible, particularly that to the southern elevation, they are minor in nature and will result in no visual harm to the surrounding area.

Impact on Neighbouring Amenities

- 6.9 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).
- 6.10 There are neighbouring residential properties, particularly those adjacent to the south-east, that could be impacted upon as a result of the changes. However, the limited external changes will result in no harm to existing amenities. Further, whilst the proposed development will result in the creation of two additional shops, there is unlikely to be a significant increase to noise and disturbance than that associated with the existing larger shop.

Highway Safety

- 6.11 Essex County Council Highways have been consulted and have stated they raise no objections to the proposed development.
- 6.12 Furthermore, the Adopted Car Parking Standards require that there is provision for one parking space per 20 sqm, and therefore each shop should have provision for a minimum of three parking spaces each, nine in total.
- 6.13 Whilst it is acknowledged there is not sufficient parking provision for the three units, the size of the overall store being used for retail purposes is slightly reduced to that existing. Further, the site is located within a highly sustainable location in close proximity to the town centre, and therefore, on balance, the deficit in parking is not significantly harmful.

Conclusion

- 6.14 This principle of development in this location is acceptable, no visual or highways impacts have been identified, whilst the impact to existing neighbouring amenities is neutral. Therefore the application is recommended for approval.

Background Papers

None