

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	11/09/18
Planning Development Manager authorisation:	AN	17/09/18
Admin checks / despatch completed	SB CD	17/09/18

**Application:** 18/01211/FUL **Town / Parish:** Ramsey & Parkeston Parish Council

**Applicant:** Warnes Butchers Parkston

**Address:** Warnes Butchers 51 Garland Road Parkeston

**Development:** Proposed change of shopfront & erection of single pitched roof garage to rear.

### 1. Town / Parish Council

Ramsey & Parkeston Parish Council      The view of the Ramsey & Parkeston Parish Council is No Objection.

### 2. Consultation Responses

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

Informative1: 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.

Tree & Landscape Officer      No trees or other significant vegetation will be affected by the development proposal.

There is little opportunity for; or benefit to be gained from new soft landscaping.

### 3. Planning History

N/A

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

PPL1 Development and Flood Risk

SPL3 Sustainable Design

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### **Site Description**

The application site is 51 Garland Road, which falls within the parish of Harwich and is currently occupied by Warnes Butchers. The surrounding area is characterised by urban built form, with residential dwellings and commercial/industrial properties to all sides. The site lies within the Settlement Boundary for Harwich, as agreed within both the Adopted Tendring Local Plan 2007 and the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017). The site also lies within Flood Zone 2.

### **Proposal**

This application seeks planning permission for the erection of a single storey garage to the rear of the property, and amendments to the existing shopfront which will see the existing door and window replaced with two doors, two windows, a tiled wall finish and revised signage.

### **Assessment**

#### **1. 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).

With regards to the proposed shopfront, due to its front elevation siting it will be clearly visible from the street scene. The existing shopfront is of no special visual merit and accordingly is not afforded any exceptional protection. The proposal will see a revised design including two doors (one to serve as an entrance to the first floor), two windows and a tiled wall finish. It is considered that these changes will be acceptable within this location and would result in a small visual improvement.

The single storey garage, detached and sited to the rear of the property, will not be visible from the street scene. The pitched roof structure will measure 5.1 metres in height; however there are similar examples adjacent and therefore it will appear in-keeping. The proposed use of materials, facing brick plain tile and a roller shutter door, are what would be expected of such a structure, and overall there is not significant visual harm to warrant a reason for refusal.

## 2. Impact to Neighbouring Properties

Saved Policy QL11 of the Tendring District Local Plan 2007 states development will only be permitted where it will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties. Draft Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) states all new development must make a positive contribution to the quality of the local environment and buildings should be designed and orientated to ensure adequate daylight and outlook for existing residents.

The change in shopfront will result in a neutral impact to existing amenities. Whilst the proposed garage is large in height in particular, its single storey nature and siting approximately 15 metres to any neighbouring properties will ensure no harm in respect of loss of light or overlooking.

## 3. Flood Risk

The application site falls within Flood Zone 2, and therefore flood risk consideration has to be accounted for. Accordingly the applicant has provided a Flood Risk Assessment that has highlighted the associated flooding risk of the site, but also acknowledges the proposed works will not generate any habitable living space or result in further flooding risk to that generated from the existing building.

### Other Considerations

Ramsey and Parkeston Parish Council has no objections.

There have been no other letters of representation received.

## 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, drawing numbers EX00, PL01, PL02 and the documents titled 'Design and Access Statement' and 'Flood Map for Planning'.

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.

