

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	18/09/2018
Planning Development Manager authorisation:	AN	18/9/18
Admin checks / despatch completed	SB	19/09/18.

*sent*

**Application:** 18/01120/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mrs Sharon Bryenton

**Address:** Suite 3 Connaught Mews (first Floor) 118 - 120 Connaught Avenue Frinton On Sea

**Development:** Change of use from first floor offices to hair and beauty salon.

### 1. Town / Parish Council

Frinton & Walton Town Council      Approval

### 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.

### 3. Planning History

01/01154/FUL	Variation of condition 6 of planning permission TEN/97/0303 (hours of operation) in respect of A2 use (Suites 1 and 5 Connaught Mews 118-120)	Approved	24.08.2001
01/02084/ADV	Fascia sign	Approved	23.01.2002
02/01295/FUL	Change of use to taxi and booking office control for Frinton & Walton Town Taxi and Private Hire Service.	Approved	03.09.2002
96/00290/FUL	(118-120 Connaught Avenue, Frinton on Sea) Redevelopment of former offices and workshops into offices and small units plus additional office accommodation	Withdrawn	19.08.1996
97/00303/FUL	Redevelopment of former offices and workshops to provide increased office accommodation and small workshop units (118-	Approved	16.04.1997

04/01149/FUL	Change of use from offices to residential units. Rear two storey extension, single storey storage building	Approved	03.08.2004
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#### **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

ER31 Town Centre Hierarchy and Uses

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

SPL3 Sustainable Design

PP5 Town Centre Uses

#### **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 relates to Suite 3 (part of first floor) within the Connaught Mews commercial/retail complex at 118 - 120 Connaught Avenue, Frinton On Sea.

### Description of Proposal

The application seeks full planning permission for the change of use of the first floor offices to a hair and beauty salon use.

The extent of the unit encompasses the stair access, 3 office rooms, a kitchen and toilets.

There are no physical alterations to the building proposed.

### Assessment

The main considerations are;

- Principle of Development and Compatibility of Uses;
- Parking Provision; and,
- Representations.

### Principle of Development and Compatibility of Uses

The site lies within the settlement development boundary for the area as defined within both the adopted and emerging Tendring District Local Plans. The site is located within an established commercial mews development within close proximity to the main shopping thoroughfare and centre of Frinton.

The proposed use ensures that the unit is retained for employment, contributes positively to vitality of the town centre by bringing a vacant unit back into use and adding to the mix of uses within the town centre. The proposed salon use is a recognised town centre use appropriate to the character of the area. The application form states that the use will employ 1 member of staff but the applicant has advised that this is likely to be approximately 5 or 6 as 3 treatment rooms are proposed but exact numbers are not yet known.

The applicant intends to open from 9am to 9pm Mondays to Saturdays being closed on Sundays and Bank Holidays. This will allow for some later evening appointments during the week for working clients. Given the location of the site surrounded by commercial uses with no nearby residential properties, the 9pm opening time is considered acceptable.

### Parking Provision

The site frontage provides some customer parking for the existing uses. The site is located in a highly sustainable location in close proximity to public transport. Essex County Council Highway Authority raises no objection to the application.

### Representations

Frinton and Walton Town Council recommend approval of the application.

No individual letters of representation or objection 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: Ref: PJB/482/03E.

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

- 3 The use hereby permitted shall only be open during the hours of 9:00am to 9:00pm Monday to Saturdays and closed on Sundays and Bank Holidays.

Reason - To ensure the use of the site is appropriate to the locality.

## **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.