

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	27/09/2018
Planning Development Manager authorisation:	SCE	27.09.18
Admin checks / despatch completed	<i>SR</i>	28/09/18

SR

Application: 18/01312/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mrs Veronica Chittock

Address: 84 - 86 Kings Avenue Holland On Sea Clacton On Sea

Development: New shop front.

1. Town / Parish Council

Holland on Sea Non Parished

2. Consultation Responses

Not applicable

3. Planning History

95/00883/FUL Erection of 1.2 metre satellite dish Approved 11.09.1995

18/01312/FUL New shop front. Current

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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site comprises of an east facing commercial premises. The property is set back from the highway and located within an existing line of shops and other commercial premises. The application property is vacant and is not currently trading.

Proposal

This application seeks permission for an enlargement of the existing shops frontage. The proposal will incorporate a change of material to the front of the building to include white powder coated aluminium doors and window frames in lieu of the existing wood door and window frames.

Assessment

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 proposed changes will result in the removal of the existing shops two front entrances and central window, which will be replaced with one single entrance 1 metre further forward in order to create a straight line at the front of the building. The proposed alterations will result in better access to the property with its design being of a similar appearance to the adjacent property at 84 Kings Avenue. The existing shop is set back from the highway which will prevent the enlargement from appearing prominent. As the site falls outside of the Holland on Sea Conservation Area it requires no special protection. Furthermore the character of the surrounding area sees a mixture of some shop fronts with those similar to the application site being either set in or further forward.

The materials used will be different from the existing wood and will incorporate aluminium door and window frames. The surrounding shopfronts comprise of a variety of materials and it is considered that the difference in materials in this instance would not result in a negative impact to the areas existing character.

In conclusion as a result of the reasons described above it is considered that a proposal of this design and scale would be inkeeping with the existing local character and would not result in a harmful visual impact to the existing area.

This application seeks permission for the enlargement of the shop space only and does not seek permission for any consent or planning permission to display signage. An informative has been placed upon the permission stating that separate planning permission and advert consent may be required for any proposed signage.

The proposal is for a minor enlargement to the shop which will not have an impact to the residential amenities to the flat above or flats nearby the site.

Other Considerations

Holland on Sea is non parished and therefore no comments are required.

No letters of representation have been received.

Conclusion

In the absence of material harm resulting from the proposed 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: 1860-01.

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.

Please be advised that this consent only applies to the enlargement of the shop and separate Advert Consent and/ or Planning Permission will be required for the provision of any new signage to the premises.