

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	10/10/18
Planning Development Manager authorisation:	AN	16/10/18
Admin checks / despatch completed	ER	17/10/18

**Application:** 18/01213/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr Russell Bolesworth - Walton Pier Limited

**Address:** New Walton Pier Pier Approach Walton On The Naze

**Development:** Proposed minor external alterations including demolition of the rear part of the existing building and construction of new extensions to the front and rear.

### 1. Town / Parish Council

Frinton & Walton Town Council      Approved.

### 2. Consultation Responses

N/A

### 3. Planning History

91/01130/FUL	New canopy to front of pier.	Approved	31.03.1992
92/01002/FUL	(Walton Pier, Walton on the Naze) Part variation to Condition 4 imposed upon planning permission TEN/91/1130 (Use of forecourt for car parking only)	Approved	23.11.1992
94/01006/ADV	(New Walton Pier, Walton on the Naze) Main name and usage signs	Approved	27.09.1994
99/01066/FUL	Single storey extension on pier to provide bar and diner facilities together with internal alterations and refurbishment. Formation of cantilevered terrace.	Approved	07.09.1999
03/02148/FUL	New lifeboat berth comprising jetty on steel piles with workshop and fuel tank to replace existing landing stage	Approved	20.12.2003
90/00045/FUL	Alteration - rebuilding of external walls.	Approved	17.07.1990

#### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

EN17 Conservation Areas

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)

PPL8 Conservation Areas

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 New Walton Pier, Pier Approach, which is located within the parish of Walton-on-the-Naze. The existing site, built in the 1870's, is a seaside pier with a large single storey structure providing a variety of leisure attractions. The site is located on the edge of the Walton-on-the-Naze settlement, with significant forms of residential and commercial development location to the south-west and north-west. The site is within the Settlement Boundary of Walton-on-the-Naze, as agreed within both the Adopted Tendring Local Plan 2007 and the Emerging 2013-

2033 Tendring Local Plan Publication Draft, and also falls within the Walton-on-the-Naze Conservation Area.

### Proposal

This application seeks planning permission for numerous works in relation to a major refurbishment of the New Walton Pier, including:

- The existing rear extension to the rear on the north-east corner, measuring 6m height, 25m width and 40m depth is to be demolished to allow for additional external attractions;
- A rear infill extension, measuring 4m height, 3m width and 30m depth, to provide a consistent building line, with glazed windows to allow views out to external attractions;
- The front of the building is to be extended approximately 5 metres under the existing front canopy and will incorporate a sliding folding glazed frontage;
- Replacement of glazing to part of the southern side elevation to cladding;
- New illuminated signage to the front elevation; and
- New signage and cladding to all elevations.

### 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).

The proposal will result in numerous external changes in light of the overall refurbishment of the Walton Pier. In terms of the rear amendments, the extension being removed is a more modern addition not in-keeping with the general pier structure. Its removal will therefore not result in significant visual harm, whilst the replacement infill rear extension is minor in size and will assimilate well with its immediate surroundings. The proposed extension to the front elevation, as well as overall new signage and cladding will see an overall visual enhancement to the existing site.

Overall, it is considered whilst there will be numerous amendments to the Walton Pier, they will visually aid the existing structure.

#### 2. Impact on Conservation Area

Policy EN17 of the Adopted Local Plan 2007 states that development within a Conservation Area must preserve or enhance the character or appearance of the Conservation Area.

The application site falls within the Walton-on-the-Naze Conservation Area, and accordingly the applicant has submitted a Heritage Statement to justify that the works involved will result in a neutral or positive impact to the surrounding area.

It is considered that the existing structure is dated and in need of renovation; the works involved seek to provide refurbishment and will be an enhancing feature within the conservation area, and thereby accord with the policy above.

#### 3. Impact to Neighbouring Amenities

The NPPF, at paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, 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).

The application site is set back from residential properties, with the nearest approximately 20 metres to the west. Most of the proposed works will not be visible, whilst those that are visible will have a neutral impact to existing amenities.

#### Other Considerations

Frinton and Walton Town Council recommend approval.

There have been no other letters of representation received.

#### Conclusion

In the absence of any significant material harm as a result of the proposal, the proposed development is recommended for approval.

### **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, titled 'Location Plan', 'Proposed Block Plan', 'Proposed Floor and Roof Plans', 'Proposed Ground Floor Plan 1 of 3', 'Proposed Ground Floor Plan 2 of 3', 'Proposed Ground Floor Plan 3 of 3', 'Proposed West and East Elevations', 'Proposed Elevations and Sections - drawing number 3101/P/402 A', 'Proposed Elevations and Sections - drawing number 3101/P/407 A', 'Proposed Section DD' and 'Design and Access Statement Incorporating Heritage Statement'.

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.

#### Advertising Consent

Please note the replacement signage, particularly the illuminated signage to the front elevation, may require separate Advertising Consent.