

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	25/10/2018
Planning Development Manager authorisation:	SCE	25.10.18
Admin checks / despatch completed	<del>KNO</del> SB	26/10/18 26/10/18

**Application:** 18/01438/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr Stephen Masters - Dailbuy Limited

**Address:** Stephenson Place Stephenson Road Clacton On Sea

**Development:** Revert back from class D2 Leisure to **B8** Storage.

### 1. Town / Parish Council

Clacton is non parished.

### 2. Consultation Responses

Not Applicable

### 3. Planning History

06/01725/FUL	Rear extension to factory unit.	Approved	06.03.2007
11/00935/FUL	Change of use from warehouse to children's activity centre.	Refused	03.10.2011
12/00637/ADV	1 illuminated entrance sign and 1 illuminated building sign.	Approved	31.07.2012
12/00638/FUL	Proposed new flue and side door.	Approved	31.07.2012
18/01438/FUL	Revert back from class D2 Leisure to <b>B8</b> Storage.	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

ER2 Principal Business and Industrial Areas

TR1A Development Affecting Highways

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

SPL3 Sustainable Design

PP6 Employment Sites

### **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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 site is Stephenson Place, Stephenson Road, Clacton a Children's activity centre which was allowed at appeal under appeal reference: APP/P1560/A/11/2162407. The application site is situated within the settlement development boundary of Clacton. Stephenson Road is situated on the north eastern periphery of Clacton and is part of the Gorse Lane industrial estate. The application site is a large industrial unit on the north side of that road. The building was utilised as a childrens activity centre and is now vacant. It is set back some considerable distance from the road frontage with extensive parking in the intervening space.

### Proposal

The application seeks planning permission to revert the D2 leisure use back to B8 Storage.

### Assessment

The main considerations for this application are the principle of development, design and appearance, impact upon neighbouring amenities and parking.

## Principle of Development

The site lies within the a defined Principal Business and Industrial Area where proposals for employment will be directed as set out within Policy ER2 of the adopted Tendring District Local Plan 2007. The premises currently lies vacant, and as the application site is located within Gorse Lane Industrial Estate the principle of development is acceptable.

## Design and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environmental and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The proposal will not be visually prominent from Stephenson Road due to the building being set back from the street scene. The application does not propose any external changes and therefore it is acceptable in terms of design and appearance.

## Impact upon neighbouring amenities

Due to the location of the application site, there will be no impact upon neighbouring amenities.

## Parking

The site is considered to provide sufficient parking and the application form states that there will be no changes to the parking arrangements. Therefore the proposal is acceptable in terms of parking.

## Other Considerations

Clacton is non parished.

No letters of representation have been received.

## Conclusion

Having taken all of the considerations into account, it is considered that there is not significant material harm as a result of the development and therefore the application is recommended for approval.

## **6. Recommendation**

Approval - Full

## **7. Conditions / Reasons for Refusal**

- 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: Block Plan Scale 1:1250

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.

<b>Are there any letters to be sent to applicant / agent with the decision?</b> <b>If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision?</b> <b>If so, please specify:</b>	YES	NO