

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	23/10/18
Planning Development Manager authorisation:	AN	1/11/18
Admin checks / despatch completed	<del>XNE</del> SB	01/11/18 01/11/18

**Application:** 18/01518/FUL **Town / Parish:** Manningtree Town Council

**Applicant:** East of England Co-operative Society

**Address:** Riverside Health Centre Station Road Manningtree

**Development:** Variation of condition 2 of planning application 16/01845/FUL, extension of the temporary siting of portakabin.

### 1. Town / Parish Council

Manningtree Town Council

Manningtree Town Council has no comment on the application.

### 2. Consultation Responses

N/A

### 3. Planning History

01/00202/FUL	Alterations to divide centre into 2 separate practices and extension to building	Approved	13.03.2001
10/01304/FUL	Temporary siting of a portakabin to provide extension to existing doctor's surgery.	Approved	05.01.2011
12/00738/FUL	Variation of condition 2 of application 10/01304/FUL for siting of portakabin for a further 18 month period.	Approved	28.08.2012
13/01068/FUL	Rear/side single storey extension to existing Health Care Centre to provide additional consulting rooms, support facilities and new entrance.	Approved	12.11.2013
15/00613/FUL	Variation of condition 2 of planning application: 10/01304/FUL - Temporary siting of the portakabin is required for a further 18 month period.	Approved	10.06.2015
16/01845/FUL	Variation of condition 1 of planning application 15/00613/FUL, temporary siting of the portakabin is required for a further 18 months.	Approved	07.06.2017



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

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

COM4 New Community Facilities (Including Built Sports and Recreation Facilities)

EN17 Conservation Areas

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

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

PPL1 Development and Flood Risk

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 Riverside Health Centre, Station Road, Manningtree. The surrounding area is characterised with urban built form, with a car park serving a Co-operative Supermarket to the north and large areas of residential development to the south-east and south-west. The site falls within flood zone 3 due to its close proximity to the River Stour further out to the north. The site



falls adjacent to, but outside of a recognised Conservation Area and also lies within the Settlement Development Boundary of Manningtree, as per the Tendring Local Plan 2007.

### Proposal

This application seeks planning permission for the variation of condition 2 of planning permission 16/01845/FUL, which will see the temporary renewal for the siting of a portacabin for an additional 3 years.

The structure, measures 12.2 metres in length, 3.2 metres in width and 2.3 metres in height.

### History

There is extensive history attached to this. Originally under planning permission 10/01304/FUL, temporary permission was granted for a portacabin as an extension to the GP Surgery while it was being redeveloped. Three further permissions (12/00738/FUL, 13/01068/FUL and 15/00613/FUL) were granted that extended the period of time the structure was allowed to remain in situ.

Under planning permission 16/01845/FUL, the portacabin was granted an additional 18 months temporary permission; however given its sensitive location and poor state the previous portacabin was replaced with the design currently in situ.

### Assessment

The circular advice is that temporary planning permissions should not normally be renewed. However, following the submission of additional supporting information provided by the applicant, it is clear that in the longer-term a new medical facility is to be constructed to serve and benefit the wider community, and therefore an extension to the existing permission is essential in ensuring patients are able to access primary care services during this transitional phase.

Given that the portacabin has been upgraded in accordance with plans approved within previous permission 16/01845/FUL, and that upon undertaking the site visit the structure appears to be in a good condition, there is no principle objections to the temporary siting of the existing structure. Whilst it is not considered to be suitable enough as a permanent addition, the Council is satisfied that as the structure will be temporary and viewed in conjunction with trolley parks and a car park, it will have a limited adverse impact upon the visual amenity of the surrounding area.

Policy EN17 of the Adopted Tendring Local Plan states that proposals should seek to preserve or enhance a Conservation Area. The sentiments of this are carried forward within Policy PPL8 within the Emerging Local Plan.

The application site is adjacent to the Manningtree Conservation Area. However, due to the site not falling directly within a conservation area, a Heritage Statement was not considered necessary on this occasion. However, given that the proposal has previously been accepted within this location and that it will not be a long-term nor permanent structure, on balance, the proposal will preserve the character and appearance of the conservation area.

Whilst the proposal falls within a flood zone 3, it is a low risk and temporary development, and will not see any marked changes to the existing structure, and therefore it would not be reasonable for the Council to object on these grounds.

### Other considerations

Manningtree Town Council have no comments to make on the application.

There have been no other letters of representation received.

## Conclusion

In the absence of any material harm resulting from the proposed development, this application is recommended for approval.

## **6. Recommendation**

Approval.

## **7. Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans, the submitted site photographs of the structure and the letter dated 12 September 2018 titled 'Variation of Condition 2 of Planning Permission 16/01845/FUL' from North East Essex Clinical Commissioning Group.

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

- 2 The period of this permission shall expire on 23 October 2021, at which date the portakabin hereby permitted shall be removed.

Reason - An exceptional extension of temporary planning permission is only acceptable having regard to the on-going community health needs for the facility and to allow further time for a scheme of permanent accommodation to come forward.

## **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.