

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	09/11/18
Planning Development Manager authorisation:	AN	20/11/18
Admin checks / despatch completed	ER	22/11/18

Application: 18/01650/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr Peter Wright

Address: Hall Works Church Road Brightlingsea

Development: Proposed alterations to windows & doors, alterations to the rear of Unit E & removal of external store.

1. Town / Parish Council

Mrs Brightlingsea Town Council No objection to the application.

2. Consultation Responses

ECC Highways Dept Having considered the information submitted with the planning application the Highway Authority has no objection to this proposal.

3. Planning History

92/01074/FUL	(Graham Labelling System Limited, Hall Works, Church Road, Brightlingsea) Renewal of planning permission TEN/1316/90 - Continued siting of three relocatable buildings for use as offices	Approved	02.11.1992
97/01083/FUL	Continued siting of three relocatable buildings for use as offices (renewal of permission TEN/94/1146)	Approved	15.10.1997
02/01893/FUL	Siting of three relocatable buildings for use as offices (renewal of planning permission TEN/97/01083).	Approved	19.11.2002
77/01229/FUL	Timber store extn to workshop	Approved	03.01.1978
81/01597/FUL	Extended use of retail outlet to include imported toy educations teaching aids	Approved	29.12.1981
84/00004/ADV	Town/cinque port sign (land outside)	Approved	24.02.1984
87/02007/FUL	Change of use from woodworking	Approved	09.02.1988

	to light industrial use for the manufacture of labelling machinery and associated works		
88/01983/FUL	Three relocatable buildings to form additional offices	Approved	31.10.1988
90/01316/FUL	Continued siting of three relocatable buildings for use of offices (renewal of 1983/88)	Approved	16.11.1990
07/01793/FUL	Continued siting of 3 non-permanent re-locatable buildings for use as offices (Renewal of 02/01893/FUL)	Approved	19.12.2007
91/00884/FUL	Continued stationing of a skip vehicle.	Approved	24.09.1991
11/00077/FUL	Proposed retention of 2 re-locatable buildings for a period of 2 years.	Approved	07.03.2011

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

Site Description

The application site is Hall Works, which is located on the north-eastern section of Church Road within the parish of Brightlingsea. The site includes numerous converted barn and purpose built units to facilitate the office and light industrial use of the site. The character of the surrounding area is semi-rural; adjacent to the north and further to the south are areas of urban built form, however to the west is an agricultural field and to the east a grassed area of land.

The site is located outside of a recognised Settlement Development Boundary, as established within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft. The site does however fall within the Brightlingsea Conservation Area.

Proposal

This application seeks planning permission for numerous works to the existing buildings on site, as detailed below:

Building A:

- Removal of one door to the side elevation to be replaced by black weatherboarding.

Building B:

- Replacement windows to front elevation; and
- Replace door with a window to the side elevation.

Building C:

- Three additional patio doors and 6 windows to the front elevation following removal of all existing windows;
- Three windows to the rear elevation following removal of all existing windows; and
- Addition of cream coloured weatherboarding to the front and rear elevations.

Building D:

- Additional door to the front elevation;
- Two additional ground floor windows to the side elevation;
- Removal of one door to the rear elevation and four additional windows to replace the three existing; and
- Three additional side elevation windows following removal of existing door.

Building E:

- Reduction of existing single storey side extensions, to be pitched with clay pantile roofing and black weatherboarding;
- Inclusion of three ground floor side elevation windows; and
- Additional two ground floor rear elevation windows and removal of two first floor rear elevation windows.

Building F:

- Amendments to the front elevation to include seven windows following removal of existing windows and doors;
- Amendments to the side elevation to re-arrange the location of the door and two windows;
- Replacement of six windows and door to rear elevation.

Appraisal

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 application site is set back from Church Road, thereby reducing the overall impacts of the changes proposed. The majority of the works are minor amendments, including amended window fenestrations, additional doors and in the case of 'Building E', located to the north-easterly corner of the site, the reduction of the existing single storey extension. Given the minor nature of these changes they are not considered to have a detrimental impact to either the existing buildings or the character of the surrounding area.

Impact to Residential Amenities:

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).

There are neighbouring properties located to the north and east of the site; however given the separation distances and minor nature of the changes proposed, the harm to neighbouring amenities will be neutral.

It is noted that 'Building D' will include amendments to the window fenestration to the first floor. However, given the number of windows remains the same, and that there is sufficient separation distance to neighbouring properties, there will not be significant additional overlooking to warrant a reason for refusal.

Impact to Conservation Area:

The application site falls within the Brightlingsea Conservation Area and accordingly the agent for the application has submitted a Heritage Statement to justify how the works will either preserve or enhance the character and appearance of the surrounding area.

Given that the changes are all relatively minor, with the more detailed works located further back within the site away from the street scene, the proposed works will preserve the character of the Brightlingsea Conservation Area and is therefore acceptable.

Other Considerations

Brightlingsea Town Council have no objections to the works.

There has been one letter of objection received on the following grounds:

1. Impacts to neighbouring amenities; and
2. The existing drawings are not accurate.

In answer to this point 1 has been addressed within the main body of the report above. With regards to point 2, the information provided has been sufficient to determine the application, with the highlighted errors not resulting in the application being unable to be determined.

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, drawing numbers P01b, P02b, P03b, P04b, P05b, P06b, P07b, P08b, P09b, P10b, P11b, P12b, P13, P14, P15 and P16, and the submitted 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.