

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	09/01/2019
Planning Development Manager authorisation:	AN	10/1/19
Admin checks / despatch completed	SB	11/01/19.

Application: 18/01769/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Mr Dee Patel

Address: Plough Inn Plough Road Great Bentley

Development: Remodelling of existing building including extension to provide disabled access toilet facilities with baby change area, additional seating, revised landscaping scheme to provide front garden seating area, separate parking facilities, replacement signage, revised access and new wall.

1. Town / Parish Council

Great Bentley Parish Council unanimously agreed to support this application. The Parish Council offer their full support and welcome investment in the village.

2. Consultation Responses

Building Control and Access Officer No adverse comments at this time.

ECC Highways Dept A site visit has been undertaken and the information that was submitted in association with the application has been fully considered by the Highway Authority.

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following measures:

1 The vehicular access for the car park shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres (3 metres minimum – 6 metres maximum), shall be retained at that width for a minimum 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1.

2 Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8

3. The Cycle / Powered Two wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle / powered two wheeler parking is provided in the interest of highway safety and amenity in

accordance with Policy DM8

4 The development shall not be open until such time as the car parking and turning area, indicated on the plans, has been hard surfaced and sealed. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.

Reason: To ensure that on-street parking of vehicles in the main street does not occur, in the interests of highway safety and in accordance with Policy DM 1

5. There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the

formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1

6. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

7. Should the proposed sign have an external light source it shall be so positioned and shielded, in perpetuity, to direct light towards the proposed advertisement sign and away from the Highway.

Reason: To ensure that users of the highway are not subjected to glare and dazzle in the interest of highway safety and in accordance with Policy DM1

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative 1:

Any work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

Informative 2:

Steps should be taken to ensure that the Developer provides sufficient turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

The applicants should be advised to contact the Development Management Team by email at: development.management@essexhighways.org or by post to:

SMO1 ' Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester.
CO4 9YQ.

Tree & Landscape Officer
ORIGINAL COMMENTS

The area directly in front of the Plough has a metalled surface with existing seating. To the right hand side, when facing from the highway, the front boundary is planted with a hedge comprising primarily of Laurel but also containing Philadelphus and Rose species. The hedgerow has a softening impact on the appearance of the conservation area but does not fall within the scope of legislation under which it could be afforded formal legal protection.

The proposed layout will result in the removal of the hedge but the proposed new planting, especially if strengthened by additional tree planting could adequately compensate for the loss of the existing vegetation. The proposal has the potential to improve the site frontage and the way that the Public House 'sits' in the conservation area.

New tree planting should be shown in the narrow beds either side of the proposed access to the new car park.

At the present time the soft landscaping plan does not provide sufficient detail relating to plant species and specification. Additional information should be provided to indicate the quantity, size (at time of planting) and species of trees, shrubs and any hedging species to be incorporated in the soft landscaping proposal.

Details of hard landscaping should also be provided to ensure that any surfacing conserves or enhances the appearance of the conservation area.

Tree & Landscape Officer
AMENDED COMMENTS

In addition to and to re-state previous comments:

At the present time the soft landscaping plan does not provide sufficient detail relating to plant species and specification. Additional information should be provided to indicate the quantity, size (at time of planting) and species of trees, shrubs and any hedging species to be incorporated in the soft landscaping proposal.

New tree planting should be shown in the narrow beds either side of the proposed access to the new car park.

Building Control and
Access Officer

No adverse comments at this time.

3. Planning History

96/01155/CON	(The Plough Public House, The Green, Plough Road, Great Bentley) Demolition of two outbuildings	Approved	11.12.1996
97/00729/ADV	Restaurant sign	Approved	16.09.1997
18/01769/FUL	Remodelling of existing building including extension to provide disabled access toilet facilities with baby change area, additional seating, revised landscaping scheme to provide front garden seating area, separate parking facilities, replacement signage, revised access and new wall.	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

EN17 Conservation Areas

EN23 Development Within the Proximity of a Listed Building

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

PPL8 Conservation Areas

PPL9 Listed Buildings

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Conservation Area Character Appraisals

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 relates to The Plough Inn Public House, Plough Road, Great Bentley. The site is located on the eastern side of Plough Road within the Great Bentley Settlement Development Boundary and Conservation Area as defined within both the adopted Tendring District Local Plan (2007) and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017). The site is located adjacent to a number of listed properties.

Description of Proposal

The application seeks planning permission for the remodelling of the existing building including a single storey orangery style rear extension to provide disabled access toilet facilities and a baby change area, additional seating, revised landscaping scheme to provide a front garden seating area, separate parking facilities, replacement signage, revised access and boundary new wall.

Assessment

The main considerations in this instance area;

- Principle of Development;
- Design and Impact on Heritage Assets;
- Parking Provision;
- Impact on Neighbouring Amenities;
- Landscaping; and,
- Representations.

Principle of Development

The proposals relate to the established Plough Inn Public House within the settlement boundary for the area alongside existing commercial units within the centre of Great Bentley. The proposal comprises extensions, alterations and improvements to the building, public area and parking and the upgrading of the existing disabled facilities, all being positive modifications. The principle of development is therefore considered acceptable.

Design and Impact on Heritage Assets

Paragraph 189 of the National Planning Policy Framework 2018 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. It goes on to say that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

A Heritage Statement has been submitted with the application in accordance with the above requirements.

Saved Policy EN17 of the adopted Tendring District Local Plan 2007 states that development within a Conservation Area must preserve or enhance the character or appearance of the Conservation Area. Furthermore, Policy EN23 states that proposals for development that would

adversely affect the setting of a listed building will not be permitted. These sentiments are carried forward within emerging Policies PPL8 and PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017).

The rear extension is flat roof, small in scale and relates well to the host building. The design and appearance of the extension is acceptable being sympathetic to the character of the building and the conservation area setting using matching materials and an orangery style design with matching brick and a lantern rooflight. The modest scale of the alterations and additions will not adversely affect the setting of either listed buildings to the south and north of the site. The frontage of the building is to be formally laid out with seating areas and attractive landscaping with the addition of a low level boundary wall/planters again to be constructed in matching brick.

The Great Bentley Conservation Area Appraisal mentions the Plough Inn and its 'attractive vernacular' appearance. The proposed alterations are considered to preserve the vernacular character of the building and will therefore preserve the character and appearance of the conservation area.

Overall the design and appearance of the proposed development is considered to improve and enhance the building and its appearance within the street scene.

Parking Provision

Essex County Council Highway Authority has been consulted on the application and raises no objection subject to conditions which will be imposed where necessary.

The frontage of the site is laid out with benches and no formal parking other than an area in front of an access gate. The site currently fails to provide parking in accordance with the parking standards and the resultant site will also fail the requirements. However, the proposed parking is formal, well laid out with turning, provides cycle storage and generally improves the overall appearance of the site frontage with more appropriate block paving and landscaping.

Given the existing parking arrangement and the location of the site within this highly sustainable location, the lack of parking is not considered an issue.

Impact on Neighbouring Amenities

The Public House is adjacent to but a good distance from neighbouring properties and sufficiently enclosed by fencing and planting around its rear and side boundaries. The proposed new seating areas are to the front of the building and will not cause any material harm to neighbouring amenities from related noise. The extensions and alterations are of a modest scale and area acceptable in appearance. Appropriate spacing is retained to neighbouring dwellings therefore having no detrimental impact upon neighbouring amenities.

Landscaping

The Council's Principle Tree and Landscaping Officer has been consulted and provided the comments set out above.

Although within the conservation area, the existing planting does not warrant protection. The proposal has the potential to improve the site frontage and the way the Public House sits within the conservation area subject to a landscaping scheme to improve and enhance the existing vegetation. The plans provide some indication of the proposed hard and soft landscaping but insufficient detail in terms of the plant species. It has been agreed with the Agent to add a condition requiring the submission of a full hard and soft landscaping scheme for approval.

Representations

Great Bentley Parish Council supports the application and welcome the investment in the village.

No other letters of representation have been received.

Conclusion

The proposal is considered to result in an enhancement to the overall appearance and landscaping of the building without resulting in any material harm. The application is therefore 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: Drawing no: 82.08/A3-P11, Drawing no: 82.08/A2-P2, Drawing no: 82.08/A2-P13, Drawing no: 82.08/A2-P4, Drawing no: 82.08/A2-P7 and Drawing no: 82.08/A2-P8.

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

- 3 No above ground works shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include all boundary treatments and any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 - Trees in Relation to Design, Demolition and Construction."

Reason - To ensure that the development preserves and enhances the character and appearance of the conservation area.

- 4 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To ensure the provision and adequate maintenance of the approved landscaping scheme for a period of five years in the interests of the character of the conservation area.

- 5 The brick to be used in the construction of the front boundary wall and extension shall match in colour, texture and form those used in the host building.

Reason - To ensure the use of appropriate materials in the interests of visual amenity and character and appearance of the conservation area.

- 6 All new parking areas and areas of hardstanding shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area within the site area.

Reason - In the interests of sustainable development and to minimise the risk of surface water flooding.

- 7 The vehicular access for the car park shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres (3 metres minimum - 6 metres maximum), shall be retained at that width for a minimum 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

Reason - To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.

- 8 Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason -To ensure adequate space for parking off the highway is provided in the interest of highway safety.

- 9 The Cycle / Powered Two wheeler parking shall be provided in accordance with the Adopted Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason - To ensure appropriate cycle / powered two wheeler parking is provided in the interest of highway safety.

- 10 The development shall not be open until such time as the car parking and turning area, indicated on the plans, has been hard surfaced and sealed. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.

Reason -To ensure that on-street parking of vehicles in the main street does not occur, in the interests of highway safety.

- 11 There shall be no discharge of surface water onto the Highway.

Reason - To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

- 12 The off-loading and storage of all building materials associated with the development shall be contained within the curtilage of the site clear of the highway during construction.

Reason - To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.

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.

Highways Informatives

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