

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	15/01/2019
Planning Development Manager authorisation:	AN	17/1/19
Admin checks / despatch completed	SB	18/1/19

Application: 18/01826/FUL

Town / Parish: Frinton & Walton Town Council

Applicant: Mr Wedge

Address: Columbine Centre Princes Esplanade Walton On The Naze

Development: Permanent retention of existing storage container.

1. Town / Parish Council

Frinton and Walton Town Council

Noted.

2. Consultation Responses

Environment Agency

Thank you for your consultation received on 23 November 2018. We have inspected the application, as submitted, and have no objection to the proposal as planned.
We refer to our letter 7 September 2010 AE/2010/111425/01;
"We note from section 6 of the Design and Access Statement that it is proposed to secure the container in order to prevent it floating away as debris in the event of a flood. We would recommend that a suitably worded condition be appended to any planning permission granted that requires the container to be anchored as described under section 3 of the Design and Access Statement."

Environmental Protection

Environmental Protection have no comments to make in relation to this application.

3. Planning History

02/00417/FUL	Extension and alterations	Approved	24.04.2002
91/01361/FUL	Leisure facility comprising a four rink indoor bowling green and general purpose hall and stage with ancillary catering and service accommodation	Approved	18.02.1992
96/00774/ADV	(The Columbine Centre, Princes Esplanade, Walton on the Naze) Illuminated signs	Approved	19.08.1996
99/01136/OUT	Extension to Columbine Centre to provide new entrance, changing rooms, toilet and sitting out area	Approved	14.10.1999
99/01555/FUL	To place a demountable	Approved	14.12.1999

	container/storage unit on site to provide storage facilities for theatrical and dance hall equipment/furniture/tools		
06/00887/FUL	Retention of container/storage unit for further five year period.	Approved	19.09.2006
10/00467/ADV	Free standing sign on two posts indicating the presence of the Columbine Centre.	Refused	14.07.2010
10/00930/FUL	The siting of a container storage unit on existing hard surfacing to the north west of the Columbine Centre building for the purpose of additional storage.	Approved	04.10.2010
11/00985/FUL	Retention of demountable container/storage unit on site to provide storage facilities for theatre and dance equipment, furniture and tools. (Renewal of temporary planning permission 06/00887/FUL).	Approved	18.10.2011
14/01383/FUL	Proposed two storey extension to entrance of main building including additional rooms to extend potential use. Single storey extension to north west to provide bowls hall changing rooms and w.c.'s.	Approved	24.11.2014
15/01379/FUL	Variation of condition 1 of planning permission 10/00930/FUL to extend the period of permission for a further three years until 05 October 2018.	Approved	12.11.2015
16/01691/FUL	Renewal of temporary permission to place a demountable container/storage unit on site to provide storage facilities for theatre and dance equipment, furniture and tools. (Previous permission 11/00985/FUL).	Approved	13.12.2016

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

QL3 Minimising and Managing Flood Risk

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

SPL3 Sustainable Design

PPL1 Development and Flood Risk

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 Columbine Centre is a large multi-purpose leisure centre located on the eastern side of the Princes Esplanade, Walton on the Naze.

To the rear of the building is an overflow parking and the local sewage works lies beyond. The site is within a designated flood zone.

Description of Proposal

Within the rear overflow parking area is a storage container subject of this planning application. The container has been the subject of a number of temporary planning permissions and this application now seeks permanent retention of the container for storage facilities.

Assessment

The main considerations in this instance are;

- Visual Impact and Justification;
- Flood Risk; and,
- Representations.

Visual Impact and Justification

The application is for a general storage container sited to the rear of the Columbine Centre and therefore almost fully screened by the existing building itself. There is good hedgerow screening to the remaining site boundaries so the container would not be prominent or have a significant adverse impact upon the appearance of the surrounding area.

The container was given temporary permission to enable a permanent storage solution to be established. An approval was given under planning application reference number 14/01383/FUL for 'Proposed two storey extension to entrance of main building including additional rooms to extend potential use. Single storey extension to north west to provide bowls hall changing rooms and w.c.'

Unfortunately, the funds for the project have not come to fruition and the permission has lapsed with no intention to re-apply due to lack of funding.

The container is sited in a well screened position to the rear of the building, further screened by dense vegetation along the rear boundary. The siting of the container does not adversely affect the parking provision or deliveries. The permanent retention of the container to provide essential storage facilities to support the uses of the facility is of public benefit that outweighs the minimal visual harm.

Flood Risk

Previously, the Environment Agency has had no objection to the development subject to the imposition of a condition requiring the container to be secured to the ground. It would appear that this condition has been complied with and photographic evidence has been provided showing the fixings in place. The Environment Agency raise no objection on this basis.

Representations

Frinton and Walton Town Council noted the application at their meeting of 13th December 2018.

No other letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the retention of the container, the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 The storage container shall remain fixed to the ground at all times.

Reason - The application site falls within Flood Zone 3, therefore there is a requirement that the storage container is secured to the ground in such a manner that would prevent it being swept away by floodwaters and potentially causing harm to lives and property.

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.