

DELEGATED DECISION OFFICER REPORT

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

Application: 18/01744/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Frinton and Walton Town Council

Address: The Council House Triangle Shopping Centre Frinton On Sea

Development: First floor extension to house platform lift.

1. Town / Parish Council

Frinton and Walton Town Council Noted

2. Consultation Responses

N/A

3. Planning History

02/01205/FUL To provide disabled access. Approved 21.08.2002

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 The Council House, which is located within the Triangle Shopping Centre within the parish of Frinton-on-Sea. The site is a part single storey, part two storey building with a ramped access to the front elevation. The surrounding area is urban in character, with a number of commercial properties in its immediate vicinity and residential development to all sides further out. The site falls within the Settlement Development Boundary for Frinton-on-Sea, as agreed in both the Adopted Tendring Local Plan 2007 and the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Description of Proposal

This application seeks planning permission for the erection of a first floor extension to incorporate a platform lift that will measure 2.4m in height, 1.5m in width and 4.3m in depth.

The works are part of a restructure of the building that will also include a revised internal layout, a new ramp and fire exit door to the rear elevation, and alterations to the front elevation that will see a new stepped access and front door. However, these other amendments do not require planning permission as they meet the requirements of Schedule 2, Part 12, Class A of the General Permitted Development Order 2015.

Assessment

1. 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 building in question is sited in a prominent location within the Triangle Shopping Centre. However, main views of the building are somewhat restricted given the level of development in its immediate surroundings. There are some views from Rochford Way to the south, but these are restricted to the rear elevation. Therefore, whilst the proposed extension will be visible from all sides, its impact will be limited, especially given its minor size. Further, while the use of cedar cladding will differ to the existing building, there is no identifiable harm and it will instead result in a small enhancement to the character of the building.

2. Impact to Neighbouring 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).

The proposed first floor extension is minor in terms of its size, including being set back 1.7m, and therefore will not appear imposing or result in significant loss of light to surrounding properties. Whilst there is one additional first floor window to the northern elevation serving a landing area, any views from this will be to the adjacent superstore and community centre; given that these are neither residential properties or any form of private amenity area, there is considered to be a neutral impact to amenities as a result of the proposed works.

Other Considerations

Frinton and Walton Town Council have noted the application.

There have been no other letters of representation received.

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 1803/00, 1803/01A and 1803/02A.

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.