

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	12/04/19
Planning Development Manager authorisation:	AN	16/4/19
Admin checks / despatch completed	[Signature]	18/04/19.

[Signature]

**Application:** 19/00302/FUL **Town / Parish:** Ardleigh Parish Council

**Applicant:** Mr Richard Curtis

**Address:** Martells Industrial Estate Douglas Curtis Machine Tools (Colchester) Ltd  
Slough Lane

**Development:** Extension to existing workshop to provide greater working area & covered storage, and 16 additional parking spaces.

### 1. Town / Parish Council

Ardleigh Parish Council No comment.

### 2. Consultation Responses

Building Control and Access Officer Disabled access to first floor not shown. Otherwise no 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.

The proposal is located within an existing Industrial area and will be served via the existing vehicle access. The proposal retains adequate room and provision for off street parking within the premises therefore:

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

1. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - i. the parking of vehicles of site operatives and visitors
  - ii loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
  - iv. wheel and underbody washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1.

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

The above condition is 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: On the completion of the works, the road, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

Informative 2:

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.

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

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

### 3. Planning History

00/01829/FUL	Extension to existing industrial building	Approved	15.12.2000
92/00925/FUL	(Outbuildings, Martells Hall, Slough Lane, Ardleigh) Use of part of outbuildings shown as Unit A for office and store in connection with plastering business	Approved	03.11.1992
94/00447/FUL	(Martells Farm, Slough Lane, Ardleigh) Change of use of building for reclaiming, storage and retail sale of building materials and manufacture of small wooden poultry products	Approved	28.06.1994
95/01255/FUL	New building to provide extension to existing factory	Approved	28.11.1995
96/00072/CMTR	(Unit 1, Martell's Industrial Site, Slough Lane, Ardleigh) ESS/02/96/TEN - Change of use to permit the storage and recycling of timber	Determination	07.07.1996
99/00003/FUL	New building to provide extension	Approved	09.02.1999

to existing factory

04/00235/FUL	Variation of Condition 1 of consent TEN/99/00003 to extend period of submission to 9th February 2009	Approved	01.04.2004
00/01829/FUL	Extension to existing industrial building	Approved	15.12.2000
95/01255/FUL	New building to provide extension to existing factory	Approved	28.11.1995
99/00003/FUL	New building to provide extension to existing factory	Approved	09.02.1999
04/00235/FUL	Variation of Condition 1 of consent TEN/99/00003 to extend period of submission to 9th February 2009	Approved	01.04.2004

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

NPPF National Planning Policy Framework February 2019

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

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

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

#### **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 to the northern section of Martells Industrial Estate, which is located to the northern section of Slough Lane within the parish of Ardleigh. The immediate surrounding area is dominated by built form in association with the industrial estate; however the wider character is more rural in nature, with the site itself detached from the nearest settlement by approximately 0.6 miles. The site is not situated within a recognised Settlement Development Boundary in both the Saved Tendring Local Plan 2007 and Emerging 2013-2033 Tendring Local Plan Publication Draft.

### Description of Proposal

This application seeks planning permission for an extension to the existing workshop measuring 7.4m in height, 13m in width and 51m in depth. The development will also include the introduction of an additional 16 car parking spaces in addition to the existing 19 spaces.

### Assessment

The main considerations of this application are the visual impact, the impact to neighbouring properties and highways impacts.

#### 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 proposed extension is of a large size; however the site is comfortably of a suitable size to account for this. Further, there are other examples of similarly large development in the immediate surrounds, while the area of the extension specifically is set well back from the street scene. Given this, and the reduced land levels through the site, there will be no public views of the proposal from the nearby street scenes. The design and material use are also in-keeping with the host building and are entirely suitable for an industrial site.

#### 2. Impact to Neighbouring Properties

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).

Given the site is located within an industrial park, there are no nearby neighbouring properties potentially impacted upon as a result of the proposed works.

### 3. Highway Safety

Essex Highways Authority have stated they have no objections subject to a condition requesting a Construction Method Statement. Accordingly this will be included as a condition within this decision.

Adopted Car Parking Standards state there should be minimum provision of 1 parking space per 50sqm of the site. The proposed extension equates to approximately 660sqm and therefore there should be an additional provision of 13 parking spaces, while the overall site will be approximately 1,300sqm, thereby requiring provision for 26 parking spaces. The proposed plans include an additional 16 spaces to ensure 35 spaces in total. This comfortably meets the above criterion.

#### Other Considerations

Ardleigh Parish Council have not commented.

There have been no other letters of representation received.

#### Conclusion

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

### 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 5355-P01, 5355-Ex-01B, 5355-O-02A, 5355-P03, 5355-P04, 5352-P07 and the untitled Site Location Plan.

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

- 3 No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - i. the parking of vehicles of site operatives and visitors
  - ii. loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
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Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests 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.