

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	PW	17/04/2019
Planning Development Manager authorisation:	AN	17/04/2019
Admin checks / despatch completed	<i>ANE</i>	18/04/19.

Application: 19/00214/FUL **Town / Parish:** Clacton Non Parished
Applicant: Mr Jeff Ross
Address: CFB Boilers Ltd Brunel Road Clacton On Sea
Development: Demolish current rear extension and erect larger extension to workshop.

1. Town / Parish Council

n/a

2. Consultation Responses

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 Industrial site and retains adequate room and provision for off street parking within the front of 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.

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.

(Continued...)

Informative 1: On the completion of the extension, 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 or by post to:

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

3. Planning History

98/01569/FUL	(Controlled Flame Boilers Ltd, Brunel Road, Gorse Lane Ind Estate, Clacton on Sea) Covered storage area to factory	Approved	21.01.1999
10/01258/FUL	Addition of first floor to existing ground floor office area to provide additional conference and office facilities.	Approved	15.12.2010
16/01389/FUL	Proposed first floor extension of office area, to provide additional conference and office facilities.	Approved	11.11.2016
18/01920/FUL	Demolish current rear extension and erect larger extension to workshop.	Approved	16.01.2019
19/00214/FUL	Demolish current rear extension and erect larger extension to workshop.	Current	

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

ER7 Business, Industrial and Warehouse Proposals

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

SPL3 Sustainable Design

PP6 Employment Sites

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)

Proposal

This application seeks planning permission for an 15.5m extension to a commercial building located on an industrial estate within the development boundary, following the demolition of the existing rear extension. Planning permission was granted in January 2019 for an 11.5m extension of a similar design.

Design and Impact

The proposed extension is sited to the rear of the property, and will not be prominent in the street scene. The design relates well to the host building, and is in keeping with the character of the wider area. It will not adversely impact neighbouring properties, and the scale and design of the proposal is appropriate to the locality. ECC Highways have been consulted on the application, and as there is no change to the off street parking provision at the site they raise no objection to the application. They have requested a condition requiring a Construction Method Statement to be submitted and approved prior to works commencing.

Other Considerations

No letters of representation have been received.

Conclusion

In the absence of material harm as a result of the proposed development, this application is 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's. 1-100 Rev B and 1-101 Rev C.

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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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 Informative 1

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Highways Informative 2

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CO4 9YQ.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	NO
Are there any third parties to be informed of the decision? If so, please specify:	NO