

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	24.7.19
Planning Development Manager authorisation:	AN	30/7/19
Admin checks / despatch completed	AP	31/7/19.

Application: 19/00488/FUL **Town / Parish:** Harwich Town Council

Applicant: Mr Glen Brunsdon

Address: Mayflower County Primary School Main Road Harwich

Development: Proposed placement of a double decker bus on the school site for use as a library and teaching space.

1. Town / Parish Council

Ms Lucy Ballard
Town Clerk
Harwich Town Council

Harwich Town Council has no objection to this application.

2. Consultation Responses

None received

3. Planning History

03/00500/FUL	Temporary portable disabled toilet unit	Approved	16.05.2003
10/00398/CMTR	Retrospective application for the installation of a new external canopy measuring 18m in length 4.5m in width x 2.9m in height situated to the west elevation of the main school building.	Determinati on	20.05.2010
14/30423/PREAPP	Proposed new sign.		19.11.2014
14/30424/PREAPP	CCTV Installation.		19.11.2014
18/01540/CMTR	New relocatable classroom unit.	Determinati on	27.09.2018
19/00488/FUL	Proposed placement of a double decker bus on the school site for use as a library and teaching space.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

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)

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 main building is of late-19th Century era with stunning gables feature and large uniform windows. The site comprises a number of community-led resources and primary-level education is one such use. The site has benefited from extensive additions historically, enlarging the east and north elevations – the primary school is primarily housed in these additions. To the rear is a large area of hardstanding which comprises a play-area with covered cycle-storage. The perimeter of this area contains established dense tree-planting.

Description of Proposal

The application proposes siting a double-decker bus having a perpendicular relationship to the boundary with the rear garden of No. 40 King George's Avenue. It would be permanently positioned in the region of 7m away from the boundary, having had all engine-parts removed. It would be in the region of 4m high and provide additional teaching/classroom/schooling provision.

Principle

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

Design & Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design.

Saved Policies QL9, QL10 and QL11 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The bus would be a somewhat quirky addition to a typical classroom environment, though for this reason it is considered an entirely appropriate form of development for a primary school.

Impact to Neighbouring Amenities

The NPPF, at paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, 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).

As a result of the orientation to the west of the adjacent residential garden, in conjunction with the proposed separation distances there is no significant additional risk of loss of privacy, daylight or harm to the amenities of any of the adjacent neighbours.

Highway Issues

The proposed development neither generates an additional need for parking nor decreases the existing parking provision at the site.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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 plan: un-numbered 1:500 block plan received 30th May 2019 and un-numbered 1:1250 ordnance survey extract received 5th June 2019.

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

8. Informatives

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.

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO