

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	19/08/2019
Planning Development Manager authorisation:	<i>ER</i>	21/8/19
Admin checks / despatch completed	<i>ER</i>	22/8/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	<i>SB</i>	22/08/19

Application: 19/01025/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Ms Jan Clark - Notemachine UK Ltd

Address: 53 - 55 High Street Walton On The Naze Essex

Development: Retrospective application for the installation of an ATM installed through a secure panel to the left hand side of the shop front

1. Town / Parish Council

Frinton and Walton Town Council No comments received

2. Consultation Responses

ECC Highways Dept The Highway Authority does not object to the proposals as submitted.

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall 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

01/02115/FUL	Extension to first floor	Approved	18.01.2002
12/00214/FUL	Retention of shop front.	Refused	18.10.2012
13/00425/FUL	Proposed amendments to existing shop front.	Refused	11.06.2013
19/01025/FUL	Retrospective application for the installation of an ATM installed through a secure panel to the left hand side of the shop front	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

TR7 Vehicle Parking at New Development

TR1A Development Affecting Highways

EN17 Conservation Areas

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)**Proposal**

This application seeks permission for retrospective planning permission for the installation of an ATM to a commercial premises in Walton.

The site is located within the settlement development boundary and conservation area of Walton on the Naze.

Assessment

The main consideration in this instance is the design and appearance of the proposed works and their impact on the character and appearance of the Walton Conservation Area.

Appearance

The existing building is located within the town centre of Walton on the Naze surrounded by other commercial premises varying in use however A1 shops appear to be predominant within the area.

Due to its town centre location a number of other units within the area currently benefit from an ATM facility to their frontages so the addition of the proposal to this building would not be out keeping with the existing character of the area.

The proposal is a facility you would expect to see in a main shopping area such as this. The existing shop window consists of window vinyls and internal adverts.

The proposed facility is at the front of the building which is set back from the highway reducing its prominence within the streetscene.

The installation of the ATM is not visually prominent or harmful to the character of the area.
Heritage Impact

The Walton Conservation Area appraisal does not make special reference to the site or its neighbours.

A heritage statement has been provided describing the proposal and its impact to the conservation area.

It is considered that the impact of the proposal on the Conservation Area will be minimal as the character and appearance of the surrounding area will not be harmed by the inclusion of the ATM machine.

Highway Safety

Due to its close proximity to the highway the Essex County Council Highways Team have been consulted as part of this application and have no objection to the scheme. The proposal will therefore not result in a harmful impact in terms of highway safety.

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Other Considerations

Frinton and Walton Town Council recommend approval for the application.
No letters of representation have been received.

Conclusion

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

6. Recommendation

Approval - Full

7. Conditions

1 No conditions

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

The Highway Authority does not object to the proposals as submitted.

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