

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	5 th Sept 2019
Planning Development Manager authorisation:	AN	5/9/19
Admin checks / despatch completed	[Handwritten initials]	06/09/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	[Handwritten initials]	6/9/19

Application: 19/01045/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Mr Dee Patel - Plough Great Bentley Ltd

Address: The Plough, Plough Road, Great Bentley

Development: Proposed use of existing store room as office to serve The Plough together with the installation of 4no. skylights to existing outbuilding.

1. Town / Parish Council

Mrs Parish Clerk The application was discussed at Great Bentley Parish Council Planning Committee meeting held on 1st August 2019. The Plough is situated in a Conservation Area therefore the skylights should be of 'conservation skylight' construction to maintain the heritage feel of this character property.

2. Consultation Responses

Building Control and Access Officer No adverse comments at this time.

3. Planning History

96/01155/CON	(The Plough Public House, The Green, Plough Road, Great Bentley) Demolition of two outbuildings	Approved	11.12.1996
97/00729/ADV	Restaurant sign	Approved	16.09.1997
18/01769/FUL	Remodelling of existing building including extension to provide disabled access toilet facilities with baby change area, additional seating, revised landscaping scheme to provide front garden seating area, separate parking facilities, replacement signage, revised access and new wall.	Approved	11.01.2019
18/01770/ADV	Replacement of signage with 1no. illuminated fascia sign.	Approved	10.01.2019
19/01045/FUL	Proposed use of existing store room as office to serve The Plough together with the installation of 4no. skylights to existing outbuilding.	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

ER7 Business, Industrial and Warehouse Proposals

EN17 Conservation Areas

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

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

PPL8 Conservation Areas

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 (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 site is located on the eastern side of Plough Road within the Great Bentley Settlement Development Boundary and Conservation Area. The application relates to an existing building within the curtilage of The Plough Inn Public House, Plough Road, Great Bentley.

The building is set more than 20m back from the pavement edge, single storey in nature with a dual-pitched roof that runs in an almost north/south direction. A dormer window exists in the 'front' roofslope which faces Plough Road and there is a significant, established tree to the rear boundary. The building itself is of a pseudo-rustic appearance and has an attractive and appropriate inter-relationship with the main public house. At the time of the site visit the rooflights had already been installed and it is understood that the use as a storeroom began in May 2019.

Description of Proposal

The application seeks to retain the four rooflights (north-east and south-west elevations) which have already been installed. The application also seeks to use the building, currently as a store-room as office space. Changing the use of the building to an office to be used ancillary to the main public house does not amount to operational development as it does not result in a material change of use.

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 siting of the rooflights are equidistant from the front dormer, they also align with the windows at ground floor. They are of a size and scale which is in keeping with the size and scale of roofslope in which they sit. They are of a finish which matches the existing fenestration on the building.

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).

The retrospective installation of rooflights to the rear, as a result of their siting within the roofslope and the presence of a large protected tree, does not result in a 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.

Other Considerations

A contribution has been made by an adjoining neighbour, the contents are summarised as:-

The development is to be the other side of the fence around our garden, in this area we have a swimming pool.	The building exists already some 18m to the north of the boundary where the pool exists.
The proposed development is two storey and would result in a loss of privacy to this area	The building itself exists already and is single-storey in nature; the application proposes only the insertion of rooflights,
Any further business development here would seriously impact on the privacy and quality of lives for the surrounding homes and area for the local residents.	The public house is a historic Inn.

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 plans: 82.08/01.1, 82.08/01.2, 82.08/01.3, 82.08/01.4, 82.08/01.5 and 82.08/01.6 received 12th July 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