

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	19/12/19
Planning Development Manager authorisation:	AN	19/12/19
Admin checks / despatch completed	CC	19/12/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	KLR	19/12/19

Application: 19/01509/FUL **Town / Parish:** Harwich Town Council

Applicant: Mr Ivan Cranfield - Commodore of Harwich and Dovercourt S/C

Address: Harwich and Dovercourt Sailing Club Gas House Creek Harwich

Development: Proposed metal pole no higher than 4.5 metres with a diameter of no more than 0.15 metres for attaching a cctv camera.

1. Town / Parish Council

Harwich Town Council Harwich Town Council has no objection to this application.

2. Consultation Responses

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

1. The proposed light sources for all of the externally illuminated CCTV unit shall be so positioned and shielded in perpetuity as to direct light towards the proposed areas highlighted in the application.

Reason: To ensure that glare and dazzle is not caused to traffic in the adjoining highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

Informative1: The Highway Authority reserves the right under Section 152 of the Highways Act, 1980 to remove or alter any sign/ apparatus overhanging or adjacent to the highway which is an obstruction or a hazard to the safe and convenient passage of the public in the highway.

Informative2: 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.

3. Planning History

99/00904/FUL Erection of sailing club house. New internal road. Yacht and car parking Approved 11.08.1999

4. Relevant Policies / Government Guidance

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

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

CP2 Improving the Transport Network

SPL3 Sustainable Design

NPPF National Planning Policy Framework February 2019

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

Site Description

The application site is Harwich and Dovercourt Sailing Club, which is located along Gas House Creek to the east of the A120, within the parish of Harwich. The surrounding area is largely urban in appearance, with commercial and residential development to all sides. The site falls within the Harwich Settlement Development Boundary within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

Description of Proposal

This application seeks planning permission for the erection of a metal pole with an attached CCTV camera, which will measure 4.5 metres in height and have a diameter of 0.15 metres, and be located to the south-eastern section of the site. Attached to the pole will be two LED floodlights.

Assessment

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 existing site is a large open plot, surrounded by existing perimeter fencing and numerous street furniture such as street lighting and broadband equipment. Given this, while at 4.5 metres high the pole will be relatively prominent, it will largely be in-keeping and will not be detrimental to the existing street scene.

2. Impact to Neighbouring Amenities

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).

In terms of the impact to any existing neighbouring amenities, although the proposal will be visible to various properties to the east of the site, there is a significant separation distance of approximately 90 metres, whilst the A120 sits in-between.

3. Highway Safety

Following consultation, Essex Highways Authority have stated they have no objection to the proposal, however have recommended a condition relating to the floodlights being shielded. Accordingly this will be attached as a condition to this decision.

Other Considerations

Harwich Town Council have no objections to this application.

There have been no other letters of representation received.

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, the untitled Block Plan showing the location of the proposal, the untitled Google Maps image showing the location of the proposal, the document titled 'HDSC Plan for Application', and the five photographs of the site, each providing a description of where the proposal is to be sited.

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

- 3 The proposed light sources for all of the externally illuminated CCTV unit shall be so positioned and shielded in perpetuity as to direct light towards the proposed areas highlighted in the application.

Reason: To ensure that glare and dazzle is not caused to traffic in the adjoining 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.

Highways Informatives:

The Highway Authority reserves the right under Section 152 of the Highways Act, 1980 to remove or alter any sign/ apparatus overhanging or adjacent to the highway which is an obstruction or a hazard to the safe and convenient passage of the public in the highway.

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.