

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	20/12/19
Planning Development Manager authorisation:	TF	20/12/19
Admin checks / despatch completed	CC	20/12/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	IN	20/12/19

**Application:** 19/01574/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr Jeff Ross - CFB Boilers Ltd

**Address:** Land at 62 Brunel Road Clacton On Sea

**Development:** Proposed new workshop.

### 1. Town / Parish Council

Clacton on Sea is not parished.

### 2. Consultation Responses

ECC Highways Dept

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; the proposal does not alter the existing vehicular access into the site, and it is noted that vehicle parking is not relevant to this application, 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.

2. Prior to occupation of the development the areas within the site identified for the purpose of loading/unloading/reception and storage of materials and manoeuvring shall be provided clear of the highway and retained thereafter for that sole purpose.

Reason: To ensure that appropriate loading / unloading facilities are available in the interest of highway safety in accordance with policy DM1

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.

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](mailto:development.management@essexhighways.org) or by post to:

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

### 3. Planning History

01/00267/FUL	Proposed offices to be used in connection with builders business (renewal of planning permission TEN/95/1358)	Approved	05.04.2001
03/00551/FUL	Offices to be used in connection with builders business (Renewal of planning permission 01/00267/FUL)	Approved	20.05.2003
07/01093/FUL	Change of use from builders yard to storage for the use of accident damaged vehicles, and erection of boundary fencing.	Approved	14.09.2007
19/01574/FUL	Proposed new 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

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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 (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 application site refers to land at 62 Brunel Road, Clacton on Sea. The application site is located on the northern side of Brunel Road and is adjacent to other commercial uses. The character of the area is commercial and the application site is located within the development boundary of Clacton on Sea.

### Proposal

This application seeks planning permission for the erection of a new workshop and storage area. The proposed workshop will measure 35 metres in width, 10 metres in depth with an overall height of 6.9 metres. The proposed storage area will measure 30 metres in width with 12 metres in depth.

## Assessment

### Principle of development

The proposal involves the erection of a proposed workshop and storage area for CFB Boilers. It is acceptable in principle subject to the detailed consideration against Saved Policy ER7 of the Tendring District Local Plan 2007, which states that the proposed works, will be permitted, and provided it meets the following considerations.

a) The scale and nature of the proposal is appropriate to the locality, including its relationship with adjacent uses;

The proposed B2 workshop will be located to the eastern side of the application site. Although there will be views of the proposal from the street scene, the proposal is located approximately 37 metres away from the highway and due to the proposal being constructed from metal clad and metal roof which is in keeping with the character of the area, it is considered that the proposed workshop will not cause any significant impact upon Brunel Road. The information submitted indicates that the proposed business will be open Monday - Friday 08:00 - 17:00. The application site is located within a commercial area and therefore the nature of the proposal in this locality is considered acceptable.

The proposed storage area will be located to the front of the application site and in front of the proposed workshop. There is existing vegetation along the application boundary which will help to screen the proposed storage and container area and a condition will be imposed to ensure that the storage and container area will not exceed over 4 metres in height. Due to the set back from the highway of approximately 22 metres away, it is considered that the proposed storage area will not cause any significant impact upon Brunel Road.

The application site is surrounded by other commercial uses and it is considered that the proposal is of a scale and nature appropriate to its locality.

b) There is no unacceptable impact on amenity in terms of appearance, noise, smell, dirt or other pollution;

The proposal is for a workshop that will be utilised by CFB Boilers as part of their operations enabling the production and storage of the boilers that they manufacture. Due to the application site being located within a commercial industrial estate, it is considered that the proposal will not result in significant noise, smell, dirt or other pollution which will impact upon the adjacent neighbours. It is therefore considered acceptable in this location.

c) Satisfactory vehicular access and adequate car parking is provided. Major new industrial or warehousing sites including transport storage operations must have direct access onto primary route network;

Essex County Council Highways have been consulted on this application and do not wish to raise any objections subject to conditions relating to the construction method statement and storage of building materials. The storage of building materials will be imposed as an informative only.

Drawing No. 0-101 REV A demonstrates that the application site will accommodate 8 parking spaces. As stated within the Essex Parking Standards Guidance, a B2 use requires 1 parking space per 50 square metres. The proposed location plan demonstrates that the proposed workshop will measure approximately 350 metres. Therefore the proposal should provide 7 parking spaces. As the site can accommodate more than the requirement, as well as the sustainable location and within walking distance of public transport links, it is considered that the proposal will not cause any significant impact upon highway safety.

d) Mains water together with mains sewerage and/or adequate waste water and trade effluent treatment facilities can be made available;

The applicant has confirmed within the email dated 12th December 2019, that the application site will utilise mains sewerage. It is therefore considered that the proposal complies with this criterion.

e) The site has acceptable storage facilities. The open storage of goods, containers, waste materials or finished products will not be allowed where such activity is considered to be visually intrusive;

Drawing no. 0-101 REV A demonstrates that there will be an open storage and container area to the front of the application site. A condition will be imposed to ensure that the storage and container area will not exceed over 4 metres in height.

f) In relation to a change of use, that the existing premises are suitable for purpose

This criterion is not applicable to this application and therefore it has not been taken into consideration.

g) In relation to new sites, the need for a comprehensive Design Brief, including a landscaping scheme has been considered and where necessary prepared;

This criteria is not applicable to this application.

h) Opportunities for promoting the movement of freight by rail or through the districts port are in no way compromised by the development proposal.

This criterion is not applicable to this application and therefore it has not been taken into consideration.

Other considerations

Clacton is non parished.

No letters of representation have been received for this application.

## **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: Drawing No. 0-101 REV A , Drawing No. 2-100B and Drawing No. 1-100B

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

- 3 The storage area as indicated on drawing no. 0-101 REV A is restricted to a height of 4 metres.

Reason - In order to protect visual amenity.

- 4 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

- 5 The use hereby permitted shall not operate outside the following times;

Monday to Saturday 08:00 to 17:00

Reason - To ensure the use of the site is appropriate to the locality.

## 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

Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

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