

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	10.02.2021
Planning Development Manager authorisation:	TF	10.02.2021
Admin checks / despatch completed	ER	11.02.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	Cc	11.02.2021

Application: 20/01653/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Carunion Limited

Address: The Green Pharmacy The Green Great Bentley

Development: Single storey extension to store room.

1. Town / Parish Council

Great Bentley Parish
Council
12.01.2021

At Great Bentley Parish Council Planning Committee meeting held on 7th January 2021 it was resolved to request that the positioning of the commercial waste/recycling bins and the loss of the parking space are considered by the Planning Officer when reviewing this application.

2. Consultation Responses

TDC Waste Management No comments.
10.02.2021

3. Planning History

00/02050/FUL	Installation of security bollards	Current	04.12.2000
91/00890/FUL	Lobby extension.	Approved	07.10.1991
96/00559/FUL	(Dusty's Restaurant, The Green, Great Bentley) Small front extension, internal alterations and change of use (retail sales, dispensary, offices, consulting room, Health Visitor, District Nurse)	Approved	25.06.1996
97/00270/FUL	Small front extension with pitched roof and new roof over existing flat roof, internal alterations and change of use [retail sales, dispensary, offices, consulting	Approved	08.05.1997

	room. District Nurses room] Revisions to		
97/01018/ADV	(Dusties Restaurant, The Green, Gt Bentley) Main fascia sign (Village Pharmacy)	Approved	15.10.1997
99/00123/ADV	Double sided projecting sign and external illumination to existing fascia sign	Approved	16.06.1999
05/01487/FUL	Proposed extension to form store	Approved	17.10.2005
05/01714/TCA	Removal of Silver Birch behind pharmacy	Approved	25.10.2005
10/01032/FUL	Proposed re-positioning of entrance doorway.	Approved	14.10.2010
20/01653/FUL	Single storey extension to store room.	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

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

SP1 Presumption in Favour of Sustainable Development

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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who

issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

5. Officer Appraisal (including Site Description and Proposal)

Proposal

This application seeks permission for the erection of a single storey extension to store room.

Application Site

The site is located on the north side of Great Bentley Green, within the development boundary of Great Bentley. The site also falls within the Great Bentley Conservation Area. The site serves 'The Green Pharmacy', an end of terraced building constructed from brickwork and render.

Assessment

Design and Appearance

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 proposed extension is located to the north of the site, towards the rear of the building. The extension will measure 3.6 metres deep and 3 metres wide, with an overall height of 3.3 metres. The extension will be finished in a matching render to that of the existing building, and the roof will be finished in a matching slate. For security reasons no new windows or doors are proposed. The proposal is considered to be of a size and design appropriate to the existing building. The proposed extension will be visible to the streetscene from 'The Path', however as it is of an appropriate design and scale it will have no adverse effects on the visual amenities of the area.

Impact to Conservation Area

The site falls within the Great Bentley Conservation Area. However, the proposal is deemed to have a minor impact of the buildings appearance, and it is considered to be of a design and

appearance in keeping with the existing building and surrounding area, it therefore has no harmful effects on visual amenity and will not harm the amenities of the Conservation Area.

Impact to Neighbouring Amenities

The NPPF, 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 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).

Due to its position within the site, the proposal will have no impact on the loss of light to the adjacent neighbouring properties.

There are no new windows or doors proposed and therefore the proposal will not have any harmful effect on loss of privacy.

The proposed extension is, therefore considered to have no adverse effects on residential amenity.

Highway issues

The Proposal neither generates an additional need for parking, nor decreases the existing parking provisions at the site.

Other Considerations

Great Bentley Parish Council requested that the positioning of the commercial waste/recycling bins and the loss of the parking space are considered by the Planning Officer when reviewing this application.

Officer Response – amended plans have since been received showing the positioning of the waste/recycling bins. Tendring District Council's Waste Management team have been consulted on the application and had no comments to make. The waste bins are located back from the highway and are not considered to cause any harm. With regards to the parking space, the existing space does not meet with Essex County Council Highways criteria for parking bays to measure a minimum of 5.5m x 2.9m, this space is therefore not considered to be a usable parking area and the proposed development does not cause a loss of a parking space at the site.

Three other letters of objection have been received raising concerns over the loss of the existing parking space, highway safety and the positioning of the waste/recycling bins. As stated above the proposed development does not have any harmful impact on highway safety as the existing parking space does not meet the necessary criteria to be considered an adequate parking space, the proposal does not cause a loss of parking at the site in terms of planning. Amended plans have been received showing that the waste bins will be located clear of the highway and will not have a significant impact on highway safety.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

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; Drawing No. BSTG-01, and Drawing No. Bstg-01 Revision A.

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

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.

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