

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DB	21.06.2021
Planning Development Manager authorisation:	SCE	23.06.2021
Admin checks / despatch completed	ER	23/06/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	23.06.2021

**Application:** 21/00657/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Barclays Bank Plc

**Address:** 75-77 Connaught Avenue Frinton On Sea Essex

**Development:** Proposed removal of the existing fascia sign, protruding boxing and projecting Barclay's Signage, allow for render to be made good on completion. Existing ATM to be removed, allow for render work to be infilled to match existing on completion

### **1. Town / Parish Council**

FRINTON & WALTON  
TOWN COUNCIL  
24.05.2021

Recommends: APPROVAL

### **2. Consultation Responses**

Essex County Council  
Heritage  
03.06.2021

The application is for proposed removal of the existing fascia sign, protruding boxing and projecting Barclay's Signage, allow for render to be made good on completion. Existing ATM to be removed, allow for render work to be infilled to match existing on completion.

The building is located in a Conservation Area.

I have no objection to this application with exception that I do recommend that the light above the ATM is also removed as this would appear a random feature in the wall once the works are complete. I also recommend the lower (white) part of the elevation is repainted in its entirety (like-for-like) as the areas of removal will be visually apparent. The application has also not mentioned in the interior finish, which I assume with the removal of the ATM and night safe will need to be made good. The application should be revised to consider this.

Should the above revisions be made I recommend conditions are attached to any permission requiring:

- Details of new render mix and demonstrate this matches the existing render; and
- (subject to revision of application) Details of new breathable paint.

### **3. Planning History**

02/01317/ADV	One fascia sign & one projecting globe sign.	Refused	27.08.2002
02/01913/LBC	Break out step to form level entrance, remove and lower external door and frame, providing an infill panel over door. The infill panel will match existing door and frame. Provide internal ramp and remove existing lobby to construct new glazed lobby to suit internal ramp. Construct new interview room	Withdrawn	31.10.2002
02/02404/ADV	ATM box panel sign	Approved	07.02.2003
04/00177/ADV	ATM box panel	Approved	22.03.2004
06/00429/FUL	Extension of building to form new internal corridor. Installation of new landing and steps from rear fire escape.	Approved	04.05.2006
90/00014/FUL	Single storey rear extension	Approved	09.02.1990
11/00740/ADV	Externally illuminated signage and projecting sign.	Approved	24.08.2011
11/00742/FUL	Install new cctv camera and new security light to ATM. Install new aerial at the rear of the property. Fit new edge protection to flat roof at the rear of the property.	Approved	24.08.2011
21/00657/FUL	Proposed removal of the existing fascia sign, protruding boxing and projecting Barclay's Signage, allow for render to be made good on completion. Existing ATM to be removed, allow for render work to be infilled to match existing on completion	Current	

#### **4. Relevant Policies / Government Guidance**

*NPPF National Planning Policy Framework February 2019*

*National Planning Practice Guidance*

*Adopted Tendring District Local Plan 2007 (part superseded)*

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN17 Conservation Areas

*Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)*

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

PPL1 Development and Flood Risk

PPL8 Conservation Areas

Local Planning Guidance

*Essex Design Guide*

### **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 26<sup>th</sup> 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 10<sup>th</sup> 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 26<sup>th</sup> 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**

The proposal seeks permission for the removal of the existing fascia sign, protruding boxing and projecting Barclay's Signage, allow render to be made good on completion. Existing ATM and light to be removed, allow for render work to be infilled to match existing on completion

### **Application Site**

The site is located to the east of Connaught Avenue, within the development boundary of Frinton on sea. The site serves a three story mid terrace building, which is a prominent building within the streetscene. The surrounding streetscene is comprised of predominantly commercial buildings, with some residential units located above surrounding shops. The site is located within the Frinton on Sea Conservation Area.

### **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 proposal would involve the removal of the Barclays sign, projecting sign, ATM machine, night safe and associated light. It is deemed that these alterations would enhance the visual amenity of the building on the surrounding streetscene in relation to the conservation area. These changes would return the building to its original design, which although a more recent addition, is sympathetic in design to older buildings within the vicinity.

#### **Conservation Area**

Policy EN17 of the Saved Plan (Development within a Conservation Area) requires that development must preserve or enhance the character or appearance of the Conservation Area. Development will be refused where it would harm the character or appearance of the Conservation Area, including historic plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain, or significant natural or heritage features. Emerging Policy PPL8 reflects this consideration. The development should as a result, be consistent with the existing dwelling and reflect the special character of the surrounding locale through its material choices and design.

The council's heritage officer provided the following comments regarding the proposal:

*I have no objection to this application with exception that I do recommend that the light above the ATM is also removed as this would appear a random feature in the wall once the works are complete. I also recommend the lower (white) part of the elevation is repainted in its entirety (like-for-like) as the areas of removal will be visually apparent. The application has also not mentioned in the interior finish, which I assume with the removal of the ATM and night safe will need to be made good. The application should be revised to consider this.*

*Should the above revisions be made I recommend conditions are attached to any permission requiring:*

- Details of new render mix and demonstrate this matches the existing render; and
- (subject to revision of application) Details of new breathable paint.

Subsequently amended plans have been submitted, which include the removal of the existing ATM light and provide details of the proposed render and paint to be used. As a result, it is deemed that the proposal meets the considerations of the conservation area and will represent a sympathetic restoration to the principle elevation.

The proposal is deemed to be consistent with both policies EN17 and PPL8, by relating well to the site and locale in finishing materials and design.

### **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 by Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposal is not deemed to have a significant impact on the amenities of neighbouring amenities.

### **Other Considerations**

Frinton and Walton Town council recommends approval of this proposal.

No other letters of representation have been received.

### **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.

- P(000)001 REV 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.

