

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JR	06.07.2021
Planning Development Manager authorisation:	JJ	07/07/2021
Admin checks / despatch completed	ER	07/07/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	07.07.2021

**Application:** 21/00581/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr Mark Smith - Essex County Fire & Rescue Service

**Address:** Clacton Fire Station St Johns Road Clacton On Sea

**Development:** Proposed internal refurbishment of Breathing Apparatus Training Chamber and addition of pitched roof to existing single storey flat roof (to half of the building only), to provide improved training facilities for ECF&R.

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

Clacton Non Parished

### **2. Consultation Responses**

Environmental Health  
17.06.2021

In order to minimise potential nuisance caused by ground works and construction, Environmental Protection recommend that the following below is conditioned;

No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out.

No materials produced as a result of the site development or clearance shall be burned on site.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

### **3. Planning History**

08/01671/FUL	Replacement windows and curtain walling to stairwell with double glazed aluminium powder coated units. Glazed canopy with powder coated steel frame and accessible ramp to main entrance. Replacement cladding and fascias with grey PVC cladding.	Approved	26.01.2009
11/01501/FUL	New small extension to the north elevation, pitched roof to the entire	Approved (Not	28.02.2012

building with a dormer window, roof implemented)  
light and safety handrail and new  
door to rear of the building.

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

NPPF National Planning Policy Framework February 2019  
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

##### Relevant Section 1 Policies (adopted)

SP1 Presumption in Favour of Sustainable Development  
SP7 Place Shaping Principles

##### Relevant Section 2 Policies (emerging)

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 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**

##### Site Description

The application site is located on the south side of St Johns Road, close to the main roundabout and junction with A133. The site comprises of the Clacton Fire Station, associated outbuildings and car parking area. The main station and fire engine access is from the front of the station onto St. Johns Road. There is vehicular access from Litchfield Close to the rear into the yard and car parking area. The application relates to one of the station's outbuildings in the south west corner of the site which is used for breathing apparatus training. Litchfield Close is a residential development of detached and semi-detached bungalows with numbers 20, 18 and 14 located close to the rear boundary of the site and in close proximity to the development.

### Proposal

The application seeks planning permission to construct a pitched roof to the rear half of the existing flat roofed building and to facilitate the internal refurbishment of the facility to provide improved training facilities for the Essex County Fire and Rescue Service.

The proposed pitched roof addition would increase the height of the existing building by 1.8m to the top of the new ridge, giving an overall maximum height of the building of some 4.6m, with a depth of some 9.2m and a width of some 6.5m. The new gable wall either end of the roof extension is to be built using brick to match the existing building and the roof has a concrete pantile finish. Two Velux rooflights are installed along with a timber stable door to the eastern elevation/roof plane. The existing ventilation duct is extended out to the new roof plane. A low level door is installed at roof height to the rear elevation and new safety railings are installed around the remaining flat roof and along the rear elevation.

### Design and Appearance

The NPPF Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Policy SP7 states that all new development should respond positively to local character and context to preserve and enhance the quality of existing places and their environs. Emerging Policy SPL3 seeks to provide new development which is well designed and maintains or enhances local character and distinctiveness. The development should relate well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials and should respect or enhance local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features. Saved Policy QL11 supports these considerations.

In terms of design and overall visual amenity, the extension to the building would result in a more domestic looking finish which is considered to be positive in design terms, given the close relationship with the residential dwellings to the side and rear. In the context of the wider site, the other existing outbuildings and training tower and the overall character and appearance of the fire station the design is considered to be acceptable.

### Impact on Residential Amenities

The existing outbuilding is located in the south west corner of the site, bordering the boundaries of the residential properties Nos 12, 14, 18 and 20 Litchfield Close. All of which are detached or semi-detached bungalows. The existing flat roof building is approximately 2.7m high with railings of approximately 0.8m in height around the perimeter of the building allowing for roof access.

Due to the orientation of the neighbouring properties, the building borders the garage buildings adjacent to Nos 18 and 14 and therefore the overall impact on sunlight and daylight to the rear amenity areas is mitigated to a large degree. The pitched roof is hipped away from No. 20 and is some 1.7m from the shared boundary and 4.6m from the flank wall of this dwelling. There is some 2.8m separation distance from the building and shared boundary with No. 14 and some 5.3m from the building to the rear of the garage.

The proposed rooflights are east facing and of a distance from No. 14 to prevent any harmful overlooking from these windows.

The proposed development is considered to be better in terms of residential and visual amenities as the building will have less open roof access in comparison the existing building which would improving privacy and the overall the appearance of the building is more sympathetic to its residential neighbours. Given the current siting and use of the building in close proximity to these neighbouring dwellings and the proposed pitched roof extension is not considered to have a detrimental impact on the residential amenity of these neighbours over and above that which is already experience being in close proximity to a fully operating Fire Station. Furthermore Environmental Health have no objections to the proposal, in particular the re-sitting of the existing ventilation duct.

Other Considerations

One letter of objection has been received:

Summary of matters raised:

- Pitched roof close to boundary will impact on sunlight and view from rear garden

These matters have been discussed in the relevant section of the report above.

**6. Recommendation**

Approval – Full

**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 plan(s): 21/0057/P-CL02 Rev A, 21/0057/P-CL05 Rev A, 21/0057/P-CL06 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.

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

