

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JR	30.06.2022
Planning Development Manager authorisation:	JJ	01/07/2022
Admin checks / despatch completed	DB	01.07.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	01/07/2022

Application: 22/00241/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Jonathan Geldard - Walton Community Centre

Address: Walton Centre For Community Education Standley Road Walton On The Naze

Development: Proposed application to site a second storage container adjacent to the existing container.

1. Town / Parish Council

FRINTON & WALTON Recommend approval
TOWN COUNCIL
07.06.2022

2. Consultation Responses

None

3. Planning History

12/00238/FUL	Proposed external storage container to rear of building.	Approved	27.04.2012
15/00514/FUL	Retention of external storage container to rear of building.	Approved	04.06.2015

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021
National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 Sustainable Design
CP1 Sustainable Transport and Accessibility
HP2 Community Facilities
PPL1 Development and Flood Risk

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of

the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal

Site Description

The application site is located on the northern side of Standley Road, at the junction with Saville Street, within the defined settlement development boundary (SDB) of Walton-on-the-Naze. The site comprises of a detached brick building which is used as Walton Community Centre and a car parking area, which is accessed from Saville Road. The building is registered as a Community Asset.

The site is adjacent to Walton County Primary School and pre-school and is otherwise neighboured by residential dwellings along Saville Street and Standley Road. The site has an existing container located to the western side of the building and sited behind the front projection of the Community Centre building. The storage container is used by the local food bank which operates from the community centre.

The site is located within Flood Zone 3, but within an area protected by flood defences.

Proposal

This application seeks planning permission for the siting of an additional container which is to be sited adjacent to the existing container.

The container is a steel storage container which measures 2.4m wide, 6m deep and has a maximum height of 2.6m.

No details of the colour of the container has been submitted, but it is appropriate for it to be the same colour as that on-site, (a dark red) which is considered to match the existing brickwork of the building and it should be secured to the main building in case of a flood event.

Appraisal

Principle of development

The site is within the SDB and the development relates to the existing use of the Community Centre. Policy HP2 seeks to deliver and maintain a range of new community facilities. New development should support and enhance community facilities by providing or contributing towards new or enhanced community facilities to meet needs arising from the proposed development or growth.

The proposed development, which is required to support the operation and services provided by the Community Centre is considered to be aligned with the aims of HP2 and therefore the principle of development is supported subject to the detailed policy considerations discussed below.

Design and Appearance

The creation of high quality, beautiful and sustainable 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. (Para 126 NPPF).

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. 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.

The proposed container is of a functional design, as is determined by its very nature, however it is located to the side of the building with limited views from Saville Street only, beyond the car parking area. The container would be seen in the context of the wider site and its use as a community centre. Furthermore its dark red colour would blend in with the adjacent flank wall and reduce its visual impact. Therefore it is not considered that the proposed development would result in any material harm to the character and appearance of the surrounding area. The colour of the container can be secured by condition.

Impact on residential amenity

Paragraph 130 of The Framework maintains that policies and decisions should result in new development that creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Policy SPL3 seeks new development that does not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

It is not considered, given the siting of the proposed container and the separation distances from the neighbouring residential properties, the proposal would have an adverse impact on the residential amenity of the neighbouring properties.

Flooding Impacts

Policy PPL1 seeks to ensure that all development proposals should include appropriate measures to respond to the risk of flooding on and/or off site.

The site is located within Flood Zone 3, which carries a high risk of flooding, however the development comprises of a storage container which is to be used ancillary to the main community centre use and therefore is not considered to increase the flood risk in this area or result in a more vulnerable use on the site. As in the case of the consent for the existing container, in order to avoid any risks of damage in the event of a flood situation the container should be secured to the side of the main community centre building.

Highways and Parking

The proposal would not result in any loss of or alterations to the current parking provision or access/egress to and from the site. Therefore there are no highways impacts identified.

Consultation Responses

One representation has been received following a public consultation which included a site notice posted at the site and neighbouring consultation letters sent out to the adjacent properties.

The representation asks that the second container is painted the same colour as the existing one, namely a colour that blends in with the building to partially disguise it. This is to be secured by condition.

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

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):

Location Plan, Site Plan and Existing and Proposed Elevations and Floor Plans received 6th May 2022

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

3. Prior to the first use of the container hereby approved, it shall be painted the same colour as the existing container, a dark red and secured to the wall of the main building.

In the interests of residential amenity and safety in the event of a flood event.

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