

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	1 st Aug 2022
Planning Development Manager authorisation:	AN	1/8/22
Admin checks / despatch completed	MR	02.08.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	02.08.2022

Application: 22/00869/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Mr Stephen Cook - Random House Group Ltd

Address: The Book Service Colchester Road Frating

Development: Proposed erection of a marquee which will be in place for longer than 28 days and is over 100 square metres.

1. Town / Parish Council

Mr Grahame Walkingshaw
08.07.2022 No Comment

2. Consultation Responses

No comments received

3. Planning History

00/01479/FUL	Expansion of facility comprising additional 5870m ² high bay warehouse, additional 2790m ² low bay warehouse, additional 1534m ² offices, additional 191m ² staff facilities, new service yard and access road	Approved	27.06.2001
01/00512/FUL	Extension to office/staff facilities	Approved	18.06.2001
91/00821/OUT	Business Park comprising approximately 400,000 sq ft of Classes B1, B2 and B8 uses and access to Colchester Road and off site sewer works.	Approved	11.04.1994
95/01166/DETAIL	Distribution facility for 24 hour operation comprising principally goods receipt and despatch, storage, order processing, together with loading/unloading facilities, ancillary office accommodation and car parking.	Approved	18.01.1996
96/00845/FUL	Distribution facility for 24 hour operation comprising principally goods receipt and dispatch,	Approved	06.08.1996

	storage, order processing, together with loading/unloading facilities, ancillary office accommodation and car parking.		
97/00844/ADV	(The Book Service Ltd., Distribution Centre, Land north of Colchester Road, Great Bentley) Signage on north and east elevations	Approved	28.08.1997
97/00845/FUL	() Application for CCTV mast installations, revised office canopies, flag pole installation and a stand-by generator exhaust flue to control room all as a variation to planning permission TEN/95/1166/D	Approved	28.08.1997
97/00846/FUL	() Use of wildflower meadow north of building to be mown and used occasionally as a football pitch (part variation to condition 3 imposed upon planning permission TEN/95/1166)	Refused	28.08.1997
99/01768/FUL	Modular building 9m x 12m, to provide extension to existing canteen	Approved	10.02.2000
05/00837/FUL	Variation of condition 1 of planning permission 00/01479 .	Approved	15.07.2005
06/00926/FUL	Proposed communication equipment enclosure.	Approved	26.07.2006
07/01973/ADV	2 x high level, externally illuminated signs. Dimension: 8000mm x 3800mm.	Approved	
08/00179/ADV	Erection of 2 no. high level externally illuminated signs (signs 20 and 21).	Refused	11.04.2008
08/01124/ADV	Retention of 2 no. signs (signs 20 and 21).	Approved	16.10.2008
09/00188/TELCOM	Free standing pole mount on roof of building.	Current	10.03.2009
10/00776/FUL	Variation of Condition 1 of planning permission 00/01479/FUL (extension of time of previously approved application 05/00837/FUL).	Approved	05.10.2010
13/30060/PREAPP	Creation of hardstanding to provide car parking for an additional 100 cars, to include stone chippings, concrete kerbs and a prepared base.	Approved	

14/00059/FUL	Proposed car parking to provide 100 additional bays including the removal and relocation of a number of existing young trees to facilitate the parking.	Approved	18.03.2014
14/00462/DISCON	Discharge of conditions 03 (Biodiversity) and 04 (Lighting Columns) of approved application 14/00059/FUL.	Approved	25.04.2014
15/30016/PREAPP	Installation of an energy-efficient ventilation system and replacement split systems.		11.02.2015
16/01627/FUL	Proposed car parking to provide 39 additional bays.	Approved	08.12.2016
17/00649/FUL	Proposed installation of security gatehouse and barrier.	Approved	14.07.2017
17/00650/FUL	Proposed single storey extension and internal rearrangement to existing canteen.	Approved	14.07.2017
17/00651/FUL	Proposed single storey extension to existing toilet block including addition of a disabled WC.	Approved	13.07.2017
17/00652/FUL	Single storey extension to reception area, removal of existing internal lobby space and installation of turnstiles.	Approved	13.07.2017
17/00988/FUL	Proposed temporary external office accommodation comprising of 6 modules fixed together.	Approved	14.09.2017
17/01635/FUL	Proposed single storey extension.	Approved	29.11.2017
18/00751/FUL	Proposed in filled area creating a three-sided enclosure underneath part of the existing canopy, to create temporary, short term holding space for palletised stock.	Approved	10.08.2018
19/30130/PREAPP	Proposed extensions to existing warehouse.		10.09.2019
19/01766/NDPNOT	Proposed solar photovoltaic system situated on the roof of distribution centre.	Determination	13.01.2020
21/00719/FUL	Proposed extension to existing B8 warehouse to provide additional warehouse space, new marshalling pod with associated loading bay, service yard, access roadway, fire access track, sprinkler tanks and	Approved	21.10.2021

	peripheral soft landscaping.		
21/01825/VOC	Variation of condition 2 (approved plans) of application 21/00719/FUL to change the height of the approved low bay extension (9.0m) to be in line with the approved high bay extension (20.5m) to meet the changing needs of the business.	Approved	20.12.2021
22/00123/DISCON	Discharge of condition 7 (Tree care plan) of application 21/01825/VOC.	Approved	08.02.2022
22/00124/DISCON	Discharge of condition 5 (Wheel washing facilities) of application 21/01825/VOC.	Approved	07.03.2022
22/00125/DISCON	Discharge of condition 4 (Construction traffic route plan) of application 21/01825/VOC.	Approved	01.03.2022
22/00126/DISCON	Discharge of condition 3 (construction environmental management plan) of application 21/01825/VOC.	Approved	11.03.2022
22/00419/DISCON	Discharge of condition 18 (Hard and soft landscaping scheme) of application 21/01825/VOC.	Approved	
22/00421/DISCON	Discharge of condition 17 (Assessment of the effect of proposed external lighting of wildlife) of application 21/01825/VOC.	Current	
22/00422/DISCON	Discharge of condition 8 (Details of the external cladding and the colour scheme) of application 21/01825/VOC.	Approved	12.04.2022
22/00423/DISCON	Discharge of condition 11 (Scheme for the installation of solar photovoltaic panels and electric vehicle charging points) of application 21/01825/VOC.	Approved	12.04.2022
22/00424/DISCON	Discharge of condition 10 (Biodiversity enhancement strategy) of application 21/01825/VOC.	Approved	05.07.2022
22/00439/DISCON	Discharge of condition 18 (Landscaping Scheme) of application 21/01825/VOC.	Approved	12.04.2022
22/00450/DISCON	Discharge of condition 16a (Programme of archaeological trial trenching) of application 21/01667/VOC.	Approved	22.04.2022

22/00493/DISCON	Discharge of condition 9 (SuDS Scheme) of application 21/01825/VOC.	Approved	10.06.2022
22/00679/NMA	Non-material amendment to application 21/01825/VOC for the amendments to the location of the proposed roof mounted AHU and alterations to the southern elevation roof junctions.	Approved	17.05.2022
22/00737/DISCON	Discharge of conditions 12A (Footway west of the existing site access shall, where feasible, be widened and resurfaced, to a maximum width of 2 metres for a distance of approximately 41 metres) and 12B (Upgrade and/or relocation of the nearest bus stop on the east side of the junction to the site which would best serve the development, to include new pole, flag, timetable, and 5m of raised kerb) of planning permission 21/01825/VOC.	Approved	13.06.2022
22/00869/FUL	Proposed erection of a marquee which will be in place for longer than 28 days and is over 100 square metres.	Current	

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
- SP3 Spatial Strategy for North Essex
- SP5 Employment
- SP7 Place Shaping Principles

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

- SPL1 Managing Growth
- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- PP6 Employment Sites

Local Planning Guidance

Essex Design Guide

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

Before preparing this summary report the planning officer has visited the application site, considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge, nearby residents and a Parish or Town Council where there is one.

By indicating that the development proposal complies with relevant Local Plan Policies, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during the site visit, any comments received in connection with the application and any other case specific considerations which are material to the decision.

Penguin Random House is a substantial modern distribution centre occupying a 30 acre site which is operated as a bulk book storage facility. The site is located to the east of Frating and Balls Green between the A120 and A133 main roads. The site is situated adjacent to Manheim Auctions to the north and on one side, a small number of dwellings to the south of the site, and other commercial uses to the south west. Otherwise, the immediate surroundings are largely agricultural.

The application seeks retrospective planning permission to retain two joined marquees which have been erected on the lawn forward of the building's front elevation. The marquees consist of two, joined, 6m x 10m which create a 12m x 10m structure. It has eaves around 2.3m and an apex in the region of 3.3m. The structure has not resulted in a loss of parking and is required for overspill ancillary employee facilities – typically a covered eating area. As a consequence of the long driveway in conjunction with established landscaping and the slightly oblique siting of the marquee, there are no views of the structure from the public realm. Notwithstanding this, as the structure is designed to be temporary in its purpose, it is considered appropriate to condition the period of time the marquee can be in-situ for and this is reflected in Condition 1.

6. Recommendation

Approval - Full

7. Conditions

1 The period of this permission shall expire on 01 August 2027 at which date the marquee hereby permitted shall be removed from the site, and the land reinstated to its former condition.

Reason - In the interests of visual amenity as the marquee is not a permanent structure and to enable the applicant to secure a more permanent solution for additional space.

2 The marquee shall be used for purposes ancillary to the site only.

Reason - In order to control the use of the structure.

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?		NO
Are there any third parties to be informed of the decision?		NO