

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	06/04/2022
Planning Development Manager authorisation:	AN	07/04/22
Admin checks / despatch completed	DB	07.04.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	07.04.2022

Application: 21/02125/FUL **Town / Parish:** Clacton Non Parished

Applicant: Miss Johanne Turner - ACL Essex - ACL Clacton On Sea

Address: Tendring Adult Community College St Osyth Road Clacton On Sea

Development: Proposed placing of a 20ft shipping container on site for storage for the Tendring Pedal Power scheme at ACL Clacton on Sea.

1. Town / Parish Council

Clacton is non parished.

2. Consultation Responses

ECC Highways Dept
17.03.2022

The information that was submitted in association with the application has been fully considered by the Highway Authority. No site visit was undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material, google earth image dated June 2017.

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority.

Informative

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

3. Planning History

92/00394/FUL	(Ref: CC/TEN/5/92) Continued use of two relocatable classrooms	Approved	30.04.1992
94/01297/CMTR	CC/TEN/19/94 - Relocatable classroom	Approved by another	09.12.1994

		authority.	
96/00313/CMTR	CC/TEN/03/96 - Relocatable classroom	Approved by another authority.	07.05.1996
97/01206/OUT	(Former St Osyth Road County Infant School, St Osyth Road, Clacton) Residential development	Refused	30.06.1998
03/01145/CMTR	Convert part of the existing rear playground into a car park. Provide external lighting on the front and side elevations of the college building [CC/TEN/67/03]	Withdrawn	04.01.2007
03/01833/CMTR	Convert part of the existing rear playground into a car park. Provide external lighting on the front and side elevations of the college building. Access via the adjacent public car park.	Approved by another authority.	16.12.2003
17/02075/ADV	Proposed site identification signs - one freestanding sign & one wall mounted sign (on side of existing building).	Approved	19.02.2018
19/00907/FUL	Proposed replacement of existing windows.	Approved	22.08.2019
21/02125/FUL	Proposed placing of a 20ft shipping container on site for storage for the Tendring Pedal Power scheme at ACL Clacton on Sea.	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)

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

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 (including Site Description and Proposal)

Site Description

The application site refers to Tendring Adult Community College, St Osyth Road, Clacton on Sea which is a traditionally built Victorian educational establishment. The application site is located within the settlement development boundary of Clacton on Sea.

Proposal

This application seeks planning permission for erecting a 20ft shipping container on site for storage for the Tendring Pedal Power scheme at ACL Clacton on Sea.

Assessment

The main considerations for this application are design and appearance, impact upon neighbouring, trees and landscaping, highway consideration and representations.

1. Design and Appearance

Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context. Policy SPL3 of Section 2 of the 2013-33 Local Plan also requires, amongst other things, that the development respects or enhances local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features. Paragraph 130 of the Framework requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

The proposed shipping container will be located to the rear of the Tendring Adult Community College, to the south of the application site behind an existing building. It is therefore considered that there will be no views of the proposal from St Osyth Road causing no material visual harm.

The shipping container will be single storey and will measure approximately 6 metres in length by 2.4 metres in width with an overall height of 2.6 metres. The container will be constructed from 'Corten Steel'. The proposed size and use of materials are considered acceptable in this location. Due to the proposals single storey nature as well as being seen in conjunction with the existing buildings on site, the design and appearance of the container is considered acceptable.

2. Impact upon Neighbouring

The NPPF, at paragraph 130 states that development should create 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. Adopted Policy SP7 of the Tendring District Local Plan 2013-2033 requires that all new development protects the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.

The proposed container will be visible in particular to the neighbouring properties at Castle Court. However due to the distance and the single storey nature of the proposal, it is not considered to cause any material harm to neighbouring amenities.

To the east of the application site is number 30 Castle Road, however due to the distance as well as the existing boundary treatment which will help to screen the proposed shipping container, it is not considered to cause any significant harm to neighbouring amenities.

3. Trees and Landscaping

There is a small but well established Silver Birch situated close to the proposed position of the shipping container.

Taking into account the existing metalled finish to the surface of the land in the zone of the Root Protection Area (RPA) of the tree to placement of a container, in the proposed position, will not adversely affect its health, condition or long term viability.

4. Highway Considerations

Essex Highway Authority have been consulted on this application and have no objections. The benefits of the proposal in promoting sustainable transport are significant.

5. Representations

Clacton is non parished.

No letters of representation have not received.

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 plans:

- Drawing No. L2289 - Site Plan
- Drawing No. L2290 - Block Plan
- Shipping Container Information - Scanned 11 Feb 2022

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.

Highways

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

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