

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | JR | 27.04.2022 |
| Planning Development Manager authorisation: | JJ | 27/04/2022 |
| Admin checks / despatch completed | DB | 28.04.2022 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | CC | 28.04.2022 |

Application: 22/00091/FUL **Town / Parish:** Great Bromley Parish Council

Applicant: Mr Lamb – Selectacars Ltd

Address: Selecta Cars Harwich Road Great Bromley

Development: Proposed new building for car valeting.

1. Town / Parish Council

Great Bromley Parish Council No Comments received

2. Consultation Responses

Environmental Protection 21.02.2022 Environmental Protection have no comments to make.

ECC Highways Dept 10.03.2022 It is noted that no new or altered means of access is proposed in connection with this application. The proposal will be located at the back of the site and according to the information provided is not used for parking; and as such does not impact on the storage of vehicles within the site or existing customer parking. It is appreciated that the business would need to manage its own stock of cars and movements; accordingly, considering these factors:

The Highway Authority does not object to the proposals as submitted.

3. Planning History

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| 93/00912/FUL | (Crossways Tyres, Clacton Road, Frating Green) Continuation of display and sale of vehicles | Refused | 12.10.1993 |
| 93/01371/FUL | Renewal of TEN/0706/90 (Office/Store) | Approved | 01.02.1994 |
| 97/01414/FUL | Proposed work shop alterations and additions plus new car display area | Approved | 03.02.1998 |
| 98/00367/FUL | Proposed revised access position to existing stables | Approved | 01.05.1998 |
| 00/01331/FUL | Extension to car display area and erection of 2 storey offices | Refused | 13.10.2000 |
| 00/02034/FUL | Extension to car display area and erection of single storey offices | Refused | 21.02.2001 |
| 06/00055/FUL | Erection of new workshop and extension of car sales area | Withdrawn | 09.02.2006 |

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
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
CP1 Sustainable Transport and Accessibility
PP13 The Rural Economy
PPL3 The Rural Landscape

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 Harwich Road, at the junction with Frating Road, within Hare Green. The site comprises of a well-established car sales business, with a number of buildings and a dwelling, along with a large open area for the display of cars for sale fronting both Harwich Road and Frating Road. The site is not within any defined settlement development boundary as identified within the Local Plan.

The surrounding area is rural in nature with some sporadic housing along Frating Road and a pub on the other side of the junction with Frating Road. Opposite the site is a newly built Costcutter and a new development of 7 houses.

The site is located within Flood Zone 1 and therefore has a low risk of flooding.

Proposal

The application seeks planning permission to construct a building to provide additional internal valeting space (no washing of cars) and a turntable to facilitate photographs and videos of the cars.

The proposed building measures 16.5m wide, 8.5m deep with an eaves height of some 3.5m and a pitched roof with a maximum height of 5.6m. The building has 2 roller shutter doors to the front and 2 pedestrian doors to the rear.

The proposed external materials are painted brickwork and concrete interlocking tiles to match the existing buildings on site.

Assessment

Principle of development

The development that is the subject of this application is linked to the wider car sales use of the main site and it is a long established business. As such, given the long-standing use on the site and a source of local employment, the principle of the development to expand and enhance the business is supported by Policy PP13 which seeks to support the rural economy. Therefore the principal of development is considered to be acceptable subject to the detailed considerations relevant to this proposal which are set out below.

Appearance, Layout and Scale

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 (NPPF Para 126)

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.

The proposed building would appear as a typical functional building within its context of the car sales setting and is located to the rear of the site, adjacent to the existing valet building and to the rear of the dwelling. The building is to be finished externally in materials to harmonise with the appearance of the other buildings within the site.

The proposed building would be fairly significant in its scale, however its location to the rear of the site, behind the dwelling and other buildings would result in the proposed building having limited visibility within the wider public realm at this busy junction. Furthermore given that the building would appear as a functional building seen as part of the wider enterprise, it is considered that the building would not appear incongruous or harmful in this rural setting and is in accordance with the requirements of Policy SPL3.

Highways

Paragraph 112 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. Policy CP1 and SPL3 seek to provide development where access to the site is practicable and the highway network will, following any required mitigation, be able to safely accommodate the additional traffic the proposal will generate and not lead to severe traffic impact.

Access to the wider site is well established from Harwich Road and is not proposed to be altered in anyway. The use of the proposed building is for the valeting and photographing of cars within the business and would not result in an increase in traffic or visitors to the site and does not impact on the current parking arrangements at the site. Therefore there is no objection from the Highways Authority to the proposed development and it is considered acceptable with regards to Policies CP1 and SPL3.

Impact on Residential Amenity

The NPPF, Paragraph 130 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 is designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents, provision is made for adequate private amenity space, waste storage and recycling facilities and the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

The site is set within a rural area and includes a residential dwelling that is to the front of the proposed building, however the dwelling is in the same ownership and used partly by the business as an office. The proposed building is therefore well-distanced from the other residential properties, along Frating Road and the new build dwellings opposite and it is considered that there is sufficient distance retained to these nearest residential properties to ensure any impact upon residential amenity would be negligible given the existing use of the site.

Drainage and SuDS

Policy PPL5 requires all new development must make adequate provision for drainage and should include Sustainable Drainage Systems (SuDS) as a means of reducing flood risk, improving water quality, enhancing the Green Infrastructure network and providing amenity and biodiversity benefits.

The proposed building is for the internal valeting of cars and no washing is involved, therefore there are no drainage or Suds concerns raised.

Consultation Responses

No representations have 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.

Conclusion

This current proposal is for an additional building in a rural location related to an existing car sales business, the development of which is supported by both local and national policy. The building would have a similar character to the other buildings on the site and would appear in context with the surrounding area and would not be highly visible in wider landscape views. Furthermore, the proposed building would have negligible impacts on highways and residential amenity. As such the application is recommended for approval, subject to conditions.

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: P01, P02

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 Informatives

Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway. To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period.

The proposal must ensure that there shall be no discharge of surface water onto the Highway, to prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway.

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

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required

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