

## **DELEGATED DECISION OFFICER REPORT**

<b>AUTHORISATION</b>	<b>INITIALS</b>	<b>DATE</b>
Case Officer recommendation:	JR	06.12.2022
Planning Manager / Team Leader authorisation:	ML	06.12.2022
Planning Technician final checks and despatch:	ER	07/12/2022

**Application:** 22/00994/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Ms Elizabeth Barritt - Sailship Training and Learning For Life

**Address:** Rush Green Allotments Fairclough Avenue Clacton On Sea

**Development:** Proposed installation of 1 no. mobile home caravan for use as a classroom and 3 no. log cabins to be used as a kitchen, dining area and counselling room.

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

Clacton Non Parished N/A

### **2. Consultation Responses**

Environmental Protection No Comments received

ECC Highways Dept 21.09.2022 From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority.

### **3. Planning History**

99/01095/FUL	Polytunnel for plant propagation portacabin greenhouse and tool sheds (Plots 96 - 99a)	Approved	17.09.1999
07/00915/FUL	Repositioning of storage building for allotment holders equipment and supplies.	Approved	27.07.2007
10/00778/FUL	Retrospective permission for buildings, greenhouse, polytunnel and portacabins (permission 99/01095/FUL expired). (Plots 96 - 99A).	Approved	20.08.2010
15/00715/FUL	Two mobile homes to be placed on existing allotments to enable use of allotments by disabled young adults and adults.	Approved	13.07.2015
16/00388/FUL	Placement of 1 No. static caravan to use as a kitchen as part of works skills training course for adults with learning disabilities and the repositioning of an existing caravan.	Approved	13.05.2016
16/00389/ADV	2 No. other signs - one on entrance gate to the allotments and one mobile sign to be placed on grass verge.	Approved	

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

National:

National Planning Policy Framework July 2021 (NPPF)  
National Planning Practice Guidance (NPPG)

Local:

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)

CP1 Sustainable Transport and Accessibility  
HP2 Community Facilities  
HP3 Green Infrastructure  
HP4 Safeguarded Local Greenspace  
PP12 Improving Education and Skills  
SPL1 Managing Growth  
SPL2 Settlement Development Boundaries  
SPL3 Sustainable Design

Supplementary Planning Guidance

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 within Rush Green Allotments on the western side of Rush Green Road. The site is within the Settlement Development Boundary for Clacton-on-Sea as defined within the local plan. The site is currently used as allotments and contains a number of small outbuildings, a mobile home and other structures, which are used in conjunction with the allotments and the operation of Sailship Training and Learning for Life, who offer work and life skills training on the site. The site is heavily screened by soft landscaping on all sides and vehicular access is from Fairclough Avenue.

##### **Proposal**

The application seeks planning permission for the erection and installation of 1 no. mobile home caravan for use as a classroom and 3 no. log cabins to be used as a kitchen, dining area and counselling room.

Mobile Home MH4 – Use as classroom using existing fixtures and fittings where Adults with Learning Difficulties (AwLD) learn Life Skills as part of Life Skills Training Course. Electricity only will be supplied to Mobile Home. Caravan will remain on original Chassis, with a ridge height of 2.8m.

Log Cabin LC1 – Use as a kitchen classroom where AwLD can learn Culinary Skills as part of Accredited Training Courses. Electricity and mains water are to be supplied to Log Cabin, Log Cabin base will be at ground level with a ridge height of 2.8m.

Log Cabin LC2 – Use as dining area to the adjacent kitchen Log Cabin where AwLD learn Customer Service Skills as part of Accredited Training Courses. Electricity supplied to Log Cabin only. Log Cabin base will be at ground level with a ridge height of 2.5m.

Log Cabin LC3 – Use as a counselling room where certified councillors will work with AwLD. Electricity only supplied to Log Cabin. Log Cabin base will be at ground level with a ridge height of 2.5m.

Externally the log cabins are finished in timber cladding with flat roofs and uPVC bi-fold doors and windows.

### Appraisal

#### Principle of Development

The application site is located within the defined settlement boundary as defined within the adopted Local Plan, therefore there is no objection to the principle of development in association with the current use of the site as a learning skills centre, subject to the detailed considerations discussed below.

#### Design and Impact on the Character of the Area

Paragraph 130 of the National Planning Policy Framework (2021) states that developments should function well and be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, be sympathetic to local character and history, including the surrounding built environment.

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 Design (e) requires boundary treatments and hard and soft landscaping to be designed as an integral part of the development reflecting the function and character of the development and its surroundings.

The site is currently operating as a learning skills centre and allotments and comprises of a number of buildings, mobile homes, sheds, greenhouses and polytunnels, along with toilets and a staff office. The rest of the site is laid out in plots for garden, fruit and vegetable areas.

Within the context of the site an additional mobile home and three small log cabins are to be added, mainly within the central part of the site, sited towards the eastern boundary with Rush Green Road and away from the neighbouring properties to the west. It is not considered that the addition of these structures would be out of character with the wider site and the structures are considered to be of a size and scale which is proportionate to the other buildings on site.

### Community Benefit

Policy HP2, seeks to deliver and maintain a range of new community facilities. New development should support and enhance community facilities where appropriate by providing on site, where necessary, or contributing towards new or enhanced community facilities to meet needs arising from the proposed development or growth and where possible, encourage co-location.

The proposed development is considered to significantly enhance the offering Sailship are able to provide within the site and the courses, work and life skills available are considered to have great benefits to the community, both local and within the district and as such the proposal should be supported.

#### 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.

Given the current operation of the site, it is not considered that the proposed development will adversely impact on the residential amenities of the neighbouring residents to the north and west. The new structures are located away from the western properties and the site is well screened from view to mitigate any overlooking or loss of privacy concerns.

#### Highways and Parking Impacts

Paragraph 110 of the Framework seeks to ensure that safe and suitable access to a development site can be achieved for all users. Policy SP7 seeks new development to include parking facilities that are well integrated as part of the overall design. The sentiments of this policy are carried forward within Policies SPL3 and CP1.

Whilst the proposed development and subsequent expansion of the offering within the site could result in an increase in visitors, it is not considered that the proposal would be detrimental to Highway Safety. The site is accessed via Fairclough Avenue and there is some parking provision provided on site. However the surrounding roads are residential and there are no parking restrictions in place and overall is not considered to be an area which suffers from parking stress. Furthermore the Highways Authority have no objections to the proposal.

#### Representations

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

The proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal and subject to conditions, 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):

Site Location Plan, Block Plan and Extended Fence Plan

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

## **8. Informatives**

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