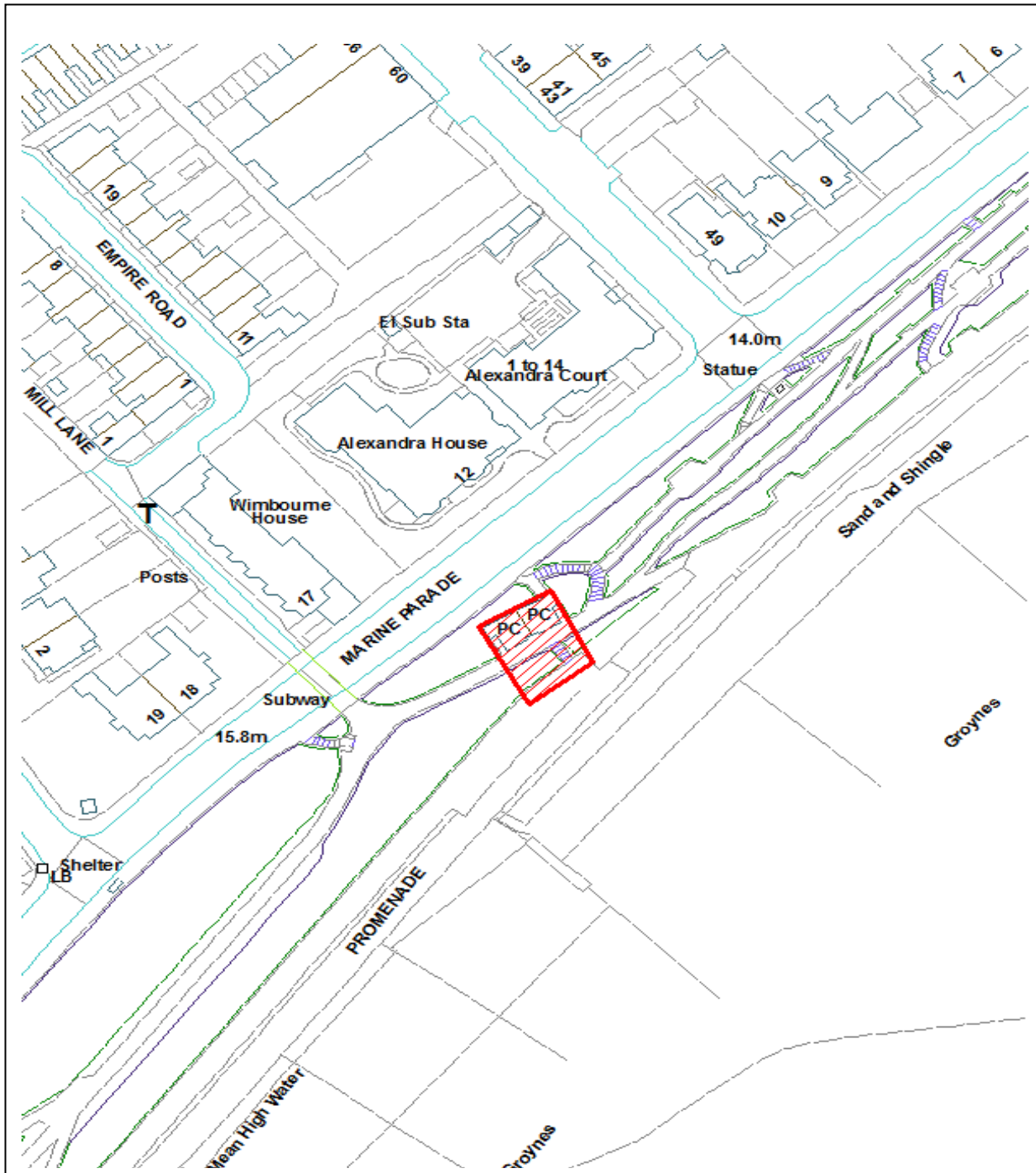


PLANNING COMMITTEE

28 MARCH 2018

REPORT OF THE HEAD OF PLANNING

A.4 PLANNING APPLICATION - 18/00071/FUL - FORMER PUBLIC CONVENIENCES, MARINE PARADE, DOVERCOURT, CO12 2RA



DO NOT SCALE

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Application:	18/00071/FUL	Town / Parish: Harwich Town Council
Applicant:	Mr Stuart Hazell	
Address:	Former Public Conveniences Marine Parade Dovercourt CO12 2RA	
Development:	Change of use from redundant public conveniences to cafe/restaurant. Internal alterations, new windows, stair access to roof, removal of rooflights, balustrade around roof area, and erection of waste storage area.	

1. Executive Summary

- 1.1 The application is referred to Planning Committee as the land is owned by T.D.C.
- 1.2 The building is the former public convenience located within the Dovercourt Bay beach front adjacent to the Promenade.
- 1.3 The site lies just outside of the defined town centre and conservation area boundaries of the saved Local Plan close to the Town Centre of Dovercourt.
- 1.4 The building is no longer in use and has been empty since its closure. Whilst there is no appearance of dilapidation, the planning application presents an opportunity to realise a viable alternative tourism-related use for the redundant building, that would be in keeping with the general location and that supports local economic activity and wider regeneration aims of the Council.
- 1.5 The modest scale of the proposed café is considered to be an acceptable alternative use. And, with appropriate conditioning and moderate adaptation, no material harm is envisaged to the visual amenity of the surrounding area and the amenity of residents nearby. The application is therefore recommended for approval.

Recommendation: Approve

Conditions:-

1. Commence within 3 years
2. Development in Accordance with Approved Plans
3. Materials
4. Extraction and ventilation details
5. Opening times: 07.30am till 20.00pm Monday - Sundays including Bank Holidays
6. No sound amplification in external areas

2. Planning Policy

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

ER16 Tourism and Leisure Uses

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

PP8 Tourism

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

3. Relevant Planning History

N/A

4. Consultations

Food Health and Safety No Comment

Waste Management No comments

Environmental Protection Working hours to be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out.

In reference to the (proposed layout diagram) full details of proposed kitchen have not been provided or the use of extractor/mechanical units mentioned.

In the case extractor/mechanical units are to be installed, the units must satisfy BS4142 assessment i.e. the end use(s) must not be deemed to have 'adverse impact' on all nearby noise-sensitive premises. A detailed report of the assessment shall be submitted to EP for approval.

5. **Representations**

None

6. **Assessment**

The main planning considerations are:

The Principle of the Use
The impact of the development
The Impact on Neighbouring Amenities

Site Location

- 6.1 The application relates to a former public conveniences located on the eastern side of Marine Parade within the beach front area overlooking the Promenade.
- 6.2 The application property varies in height due to the topography of the land, but is of a modest scale overall; the southern elevation measures 4.5m and the northern elevation 6.0m. The building is 13m in depth but set back against the slope of the land, in effect having 'three sides' with no rear elevation.
- 6.3 There are entrances into the building on either elevation and a single window opening. The southern entrance is accessed via steps enclosed within a boundary wall. A similar boundary wall encloses the northern entrance. The roof of the structure can be accessed from Marine Parade and there is a single seat on part of the roof and roof lights on the remainder. The remainder of the roof is fenced off from the back of the pavement on Marine Parade. There is some basic landscaping.
- 6.4 Access to the building is via a public foot path leading to the Promenade.
- 6.5 The application building is not listed or located within a conservation area.

Proposal

- 6.6 The development proposes the re-use of the building to form a café (Class A3) following internal and external adaptations including new window openings an external bin store, ramped access, external stairs to access the roof-top seating area with a balustrade surround.
- 6.7 The applicant has indicated as additional information, the following matters:-
 - The café could create 3 full time posts
 - Would operate between 07.00am and 20.00pm Monday to Sunday
 - The operation of the café involves light cooking
 - Appropriate adaptations to facilitate public use, means of emergency escape.

Principle of the Use

- 6.8 The application property lies within the settlement boundary of Harwich within the coastal area of Dovercourt Bay. The proposed development will re-imagine the functional use of a redundant feature building, revive and animate the location, and contribute to the local economy.
- 6.9 The proposed alterations to the building are modest and will improve its appearance and facilitate its reuse.
- 6.10 The development is consistent with the Local Plan which recognises the importance of tourism to the local economy and encourages new development that provide new attractions and facilities, provided there are no adverse impacts to the local environment including traffic implications.
- 6.11 The proposed development is located within the beach front area adjacent to the Promenade off Marine Parade, and close to the Town Centre. The site is therefore accessible by foot or by public transport. The building is made fully accessible by means of ramped access to the main entrance.

Impact of the development

- 6.12 The various physical alterations to the building are considered to be proportionate and necessary to facilitate the operational needs of the proposed café and full accessibility. The roof-top seating area will add to the novelty value by affording views across the Dovercourt Bay.
- 6.13 The application property is not a noteworthy building neither is it of high architectural merit. Therefore, erecting a balustrade and inserting white UPVCu window frames are considered to be minor alterations and are acceptable in design terms. The proposed waste storage area is a proportional and modest addition to the building, and the roller shutters will minimise opportunity for crime.

Impact on neighbouring amenity

- 6.14 The scale of the proposed development is appropriate and it is not considered that there would be any loss of amenity to residents living nearby as the building is around 30 metres from the nearest residents. The roof top seating area will be visible more widely and may be audible to some residents, but given the separation distance and the topography this is not considered to be significant. However, Marine Parade is a busy main road therefore ambient noise levels will already be relatively high. Furthermore, the hours of operation will ensure the premises and roof top seating area is not available late into the evening.
- 6.15 There are no adverse environmental impacts as a result of the change of use and the proposed development will conform with Local Plan policy

Overall planning balance

- 6.16 The application proposal will bring back into productive use a local building that has remained empty and redundant for many years. Proposed renovations will enhance the appearance of the building, and its general scale and character and visual impact within the beachfront setting are preserved.
- 6.17 The proposed development will make a positive contribution to the local economy and tourism through the creation of a new café, that will create jobs; as such, the proposed development will promote the continued regeneration of the Harwich and Dovercourt area.

Background Papers

None