

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	05/06/18
Planning Development Manager authorisation:	SCE	05.06.18.
Admin checks / despatch completed	AP	6/6/18 <i>WR</i>

**Application:** 18/00576/FUL

**Town / Parish:** Clacton Non Parished

**Applicant:**

**Address:** Boots 54 - 62 Pier Avenue Clacton On Sea

**Development:** Installation of 2no. new electrically operated external roller shutter doors on entrance doors. Shutter housing to be concealed within soffit.

### 1. Town / Parish Council

Clacton is non parished.

### 2. Consultation Responses

Not Applicable

### 3. Planning History

93/01308/ADV	Internally illuminated projecting sign	Approved	23.12.1993
96/00263/ADV	Fascia and projecting sign	Approved	10.04.1996
96/00349/FUL	(54-56 Pier Avenue, Clacton on Sea) Introduction of automatic doors. Introduction of security shutter for out of hours use	Approved	14.05.1996
09/01114/ADV	3 No. non illuminated folded aluminium fascias with internally illuminated Boots lozenge. 1 No. non illuminated folded aluminium fascia. 1 No. internally illuminated projection cross.	Approved	07.12.2009
18/00576/FUL	Installation of 2no. new electrically operated external roller shutter doors on entrance doors. Shutter housing to be concealed within soffit.	Current	

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL6 Urban Regeneration Areas

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

ER31 Town Centre Hierarchy and Uses

ER32a Primary Shopping Area

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

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

PP2 Retail Hierarchy

PP5 Town Centre Uses

PP14 Priority Areas for Regeneration

### **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The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 16<sup>th</sup> 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.

### **5. Officer Appraisal (including Site Description and Proposal)**

#### Site Description

The application site relates to Boots, 54-62 Pier Avenue, Clacton on Sea which is a retail shop located within the development boundary of Clacton on Sea. The proposal is located within the Clacton Town Centre primary shopping area, town centre boundary and within an Urban Regeneration area.

#### Proposal

The application seeks planning permission for the installation of 2 no. electrically operated external roller shutter doors serving the entrance doors with the shutter housing to be concealed within the soffit. The proposed will be of a punched and glazed design.

#### Assessment

The main considerations for this application are the design and appearance and the impact upon neighbouring amenities.

#### Design and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The site is located within a protected shopping frontage forming one of the main shopping parades within the Clacton Town Centre boundary. As such there is a mixture of differing styles of shop fronts in the vicinity reflecting the various businesses corporate brands.

The application proposes two roller shutter doors located to the front of the shop and therefore will be visible to the street scene of Pier Avenue however, the electric security shutter would not appear out of character in this town centre location. There are several other premises in the vicinity that have security shutters and they have been designed to relate to the shop front in respect of style and colour and will be used during the shops closed hours. It is therefore considered that the proposed shutters will not adversely impact upon the street scene or the character of the area.

#### Impact upon neighbouring amenities

Due to the minimal nature of the proposal and the location of the application site, the proposal will cause minimal impact upon neighbouring amenities.

#### Other Considerations

Clacton is non parished

No letters of representation have been received.

#### Conclusion

In the absence of significant material harm as a result of the development, this application is recommended for approval.

### **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: Drawing No. 017A, Drawing No. 018

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.

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