

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	30/05/18
Planning Development Manager authorisation:	AN	12/6/18
Admin checks / despatch completed	AP	13/6/18

EMC

Application: 18/00618/FUL **Town / Parish:** Frinton & Walton Town Council
Applicant: Millstone Property Development Ltd
Address: 85A High Street Walton On The Naze Essex
Development: Proposed replacement shop front & first floor windows.

1. Town / Parish Council

Frinton & Walton Town Council Approval.

2. Consultation Responses

N/A

3. Planning History

N/A

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

EN17 Conservation Areas

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)

PPL8 Conservation Areas

SPL3 Sustainable Design

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The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

5. Officer Appraisal

Site Description

The application site is 85a High Street, Walton-on-the-Naze, which is a two storey terraced property serving as a retail shop at ground floor and a residential flat at first floor. The character of the surrounding area is largely dominated by urban built form, with numerous commercial and residential units to all sides. The site falls within the Settlement Development Boundary for Walton-on-the-Naze in both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft, and also falls within the Walton Conservation Area.

Description of Proposal

This application seeks planning permission for a replacement shop front, which will see an increase in depth of approximately 1 metre further forward and re-rendering of the front wall. Further, the front door will have an amended design and be slightly re-sited to accommodate a larger window, the shop front height increased to accommodate a newly sited fascia sign, and also an amended design to the front door serving the residential flat. Furthermore, the existing four paned first floor front elevation windows are to be replaced with two sliding sash white pvcu windows.

Assessment

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposal will see various changes to the existing front elevation. Due to its prominent siting within a conservation area, its visual impact is an important consideration. Whilst it is considered that the use of pvcu is not typically acceptable within a conservation area, the submitted information has highlighted numerous examples within the immediate vicinity. Given this and the poor state of the existing property, some elements of the work will provide a visual enhancement. Therefore it is considered that despite a degree of harm from the use of pvcu, on balance the proposed works would not be detrimental enough to warrant a reason for refusal.

Other Considerations

Frinton and Walton Town Council recommend approval.

There have been no other letters of representation received.

Conclusion

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

6. Recommendation

Approval.

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 number 85/HSW/18/1 and the documents titled 'Design and Access Statement' and 'Heritage Statement'.

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.