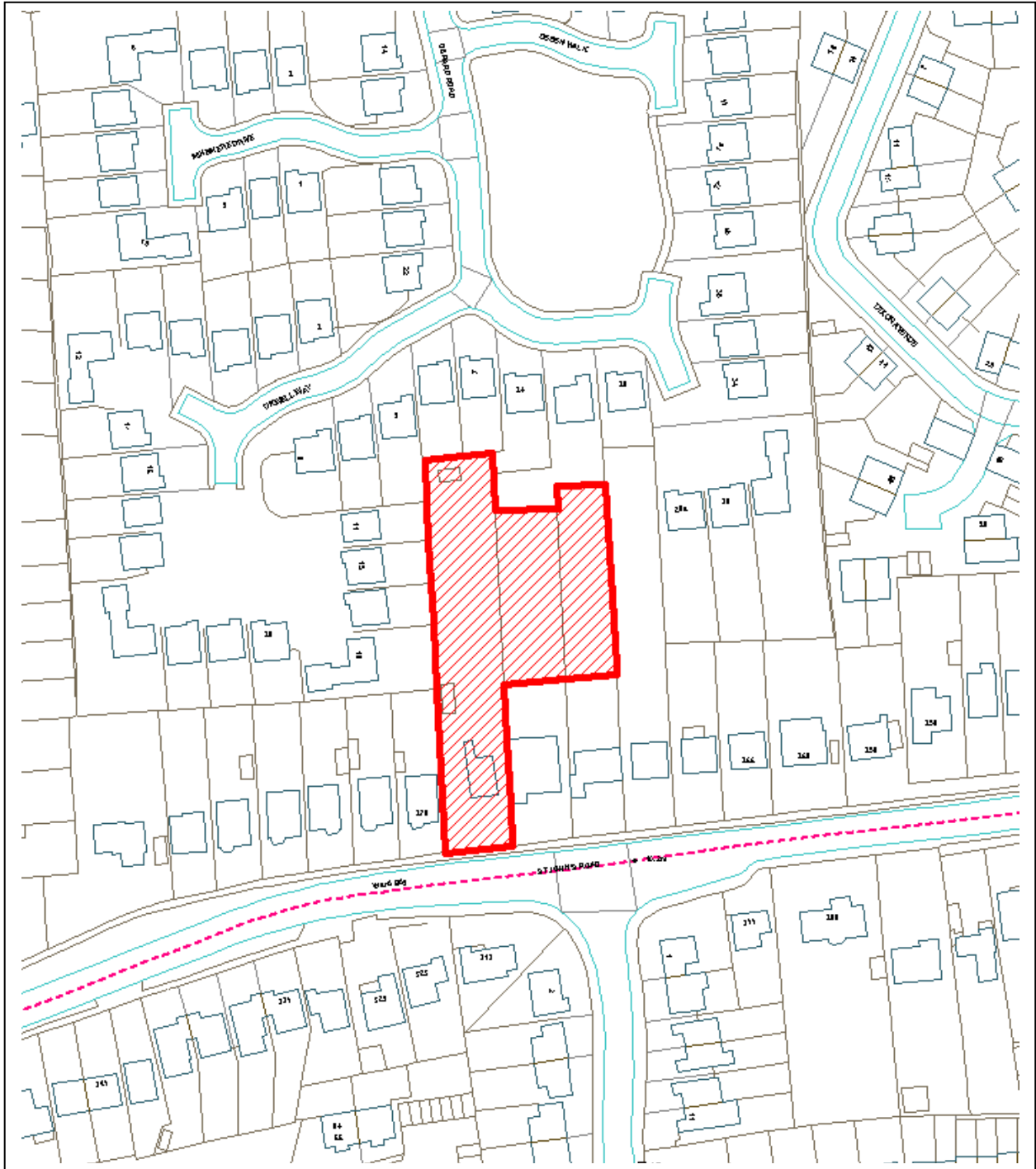


PLANNING COMMITTEE

26 FEBRUARY 2013

REPORT OF THE HEAD OF PLANNING

A.2 PLANNING APPLICATION – 12/01320/FUL – 276 ST JOHNS ROAD, CLACTON ON SEA, CO16 8DE



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Application:	12/01320/FUL	Town / Parish: Clacton
Applicant:	R Burfoot Construction Ltd.	
Address:	276 St Johns Road, Clacton on Sea, CO16 8DE	
Development:	Erection of six bungalows	

1. **Executive Summary**

- 1.1 In 2010 outline planning permission was granted for residential development of 8 dwellings, which in effect renewed the original planning permission for the same application site. The outline planning permission remains extant. The application scheme is now for 6 bungalows. The site is in a sustainable location and the proposal will make more efficient use of the land than at present. The use of the land for new housing is acceptable in principle and there are no matters of concern which would warrant the refusal of planning permission.

Recommendation: Approve subject to the necessary changes to the Unilateral Undertaking being made in respect of Policy COM6.

Conditions:

1. Time limit for commencement – three years
2. Development in accordance with submitted plans
3. Permeable surfacing/surface water drainage
4. Materials
5. Landscaping
6. Tree protection during construction
7. Boundary treatments
8. Restriction on hours of building work
9. Highway Authority technical requirements
10. Parking and turning facility to No.276 St John's Road.
11. Withdrawal of permitted development rights (extensions, outbuildings and windows in roofs)
12. Construction traffic arrangements
13. Wheel washing during construction

Reason for approval:

Proposal will provide additional housing in a sustainable location, thereby helping to meet housing needs and making a more efficient use of the land than at present.

2. **Planning Policy**

National Policy:

National Planning Policy Framework

Local Plan Policy:

Adopted Tendring District Local Plan (2007)

QL1 – Spatial Strategy

QL2 – Promoting Transport Choice

QL9 – Design of New Development

QL10 – Designing New Development to Meet Functional Needs

QL11- Environmental Impacts and Compatibility of Uses

QL12 – Planning Obligations

HG3 – Residential Development within Defined Settlements

HG7 – Residential Densities

HG9 – Private Amenity Space

HG13 – Backland Residential Development

HG14 – Side Isolation

COM2 – Community Safety

COM6 – Provision of Recreational Open Space for New Residential Development

TR1a – Development Affecting Highways

TR7 – Vehicle Parking at New Development

Tendring District Local Plan Proposed Submission Draft (2012)

SD1 – Presumption in Favour of Sustainable Development

SD2 – Urban Settlements

SD5 – Managing Growth

SD7 – Securing Facilities and Infrastructure

SD8 – Transport and Accessibility

SD9 – Design of New Development

SD10 – Sustainable Construction

PEO1 – Housing Supply

PEO2 – Housing Trajectory

PEO3 – Housing Density

PEO4 – Standards for New Housing

PEO5 – Housing Layout in Tendring

PEO6 – Backland Residential Development

PEO14 – Single Storey Residential Development (Bungalows)

PEO19 – Green Infrastructure

PEO20 – Playing Pitches and Outdoor Sports Facilities

PEO22 – Green Infrastructure in New residential Development

PEO23 – Children’s Play Areas

Other guidance:

Essex Design Guide (2005)

Essex County Council Parking Standards (2009)

3. Relevant Planning History

06/00436/OUT – Proposed residential development of 6 dwellings – Refused 04/05/06

07/00591/OUT - Proposed residential development of 6 dwellings – Refused 28/06/07

07/00591/OUT - Residential development of 8 dwellings – Approved 21/11/07

07/00591/OUT – Renewal of outline planning permission for residential development of 8 dwellings – Approved 28/09/10

4. Consultations

Essex County Council Highways - no objection subject to standard conditions.

TDC Public Experience – working hours to be restricted to protect local residential amenities.

5. Representations

- Five private objections have been received from neighbouring occupiers. Issues raised are:
- Highway safety on St Johns Road
- Highway capacity at rush hour
- Garden wildlife affected
- Noise during building and from cars after completion
- Crime concerns
- Privacy/overlooking concerns
- Overdevelopment
- Plots 4 & 5 too close to boundary with 24 Gerard Road
- Impact on oak tree

- Conservatories and sheds would have further impact on neighbours
- In response to these objections, your Officers comment that:
- The Highways Authority does not object to the proposal on any grounds.
- The rear garden to the donor dwelling is overgrown and, other than in respect of protected trees, there are currently no planning controls to prevent the land being entirely cleared of vegetation.
- Working hours will be controlled by condition to prevent undue noise disturbance to neighbours. Noise from cars will be limited due to the small scale of the development.
- The design of the development would not raise issues in terms of crime.
- As the proposed dwellings are single-storey there will be no overlooking of other properties.
- The proposal does not represent an overdevelopment having regard to the number of dwellings permitted. Previously, six dwellings had been considered underdevelopment (see Planning History).
- Plots 4 & 5 will each have 1.0m side isolation to the nearest existing boundary.
- There is no impact upon an oak tree.
- Permitted development rights for the existing dwelling currently allow for the erection of outbuildings which could impact upon neighbours. However, as the areas of private amenity space proposed only just exceed the minimum requirements, the removal of permitted development rights so that the size and siting of any outbuildings is recommended. Conservatories are now generally considered to enhance enjoyment of private amenity spaces. However, other extensions could significantly reduce the amounts of private amenity space and the potential for extended two bedroom dwellings to become three bedroom properties would create a requirement for more amenity space than is currently shown to those plots.

6. **Assessment**

The main planning considerations are:

The acceptability of the proposal in terms of:

- Means of access
- Appearance
- Landscaping
- Layout
- Scale
- Backland policy
- Neighbouring amenities
- Local character

The application site has the benefit of an extant outline planning permission for 8 dwellings (see Planning History). The Council cannot therefore object to the principle of new housing development. The application is for full planning permission, not for approval of any reserved matters and must, therefore, be considered on its own merits.

Means of access

Means of vehicular and pedestrian access to the backland area will adapt the existing entrance drive to the western side of the frontage to St John's Road. The entrance will be 5.5m wide and narrow to 3.7m, as far as the first turning area, which is about 35m into the site. The access drive then widens to 6m to include a passing bay, with a second turning area adjacent, from which Plots 3 & 4 will be accessed. The private drive will be a shared surface for pedestrians and vehicles.

The donor property will have a new means of access onto St John's Road, adjacent to the eastern boundary. This will include a parking and turning area and must accommodate two cars. The dwelling will retain an area of private amenity space of 126 sq.m.

Appearance

The proposed bungalows are semi-detached, to be constructed of facing brick under tiled roofs. Roofs are of hipped designs except for the small bays to the fronts of Plots 5 & 6, which each have gables. Plots 1 & 2 are identical 'handed' designs with the central span containing a single "garage" to each plot. As the internal dimensions of the garages shown to Plots 1 & 2 are 5.0m x 2.9m, these are substandard according to the current adopted car parking standards, which require a minimum of 7.0m x 3.0m. For that reason, two car parking spaces are shown to be provided to Plots 1 & 2 on their respective driveways. The car parking spaces will meet the preferred bay size of 5.5m x 2.9m. Each pair of new bungalows will include a symmetrical front elevation, except for Plots 5 & 6 where there will be a single integral garage. The garage is not quite central due to the differences in internal layout and the proposed front doors are positioned differently in relation to the garage door.

Landscaping

Hard landscaping as proposed will include block paving to the car parking spaces and access drive.

Soft landscaping will include new tree and shrub planting.

Layout

The new bungalows will be grouped in three pairs with a minimum of 1m to the side boundaries of the existing adjacent dwellings. The designs of the roofs of the bungalows will ensure that the roof slopes are angled away from the nearest boundaries to adjacent residential properties. Private amenity space for the two bedroom dwellings ranges from 75sqm – 77sqm. Private amenity space for the three bedroom dwellings ranges from 106sqm – 121sqm. Plots 1 & 2 each have integral garages plus two parking spaces positioned centrally to the frontage. Plots 3 & 4 each have an integral garage and a parking space positioned centrally to the frontage. Plot 5 has an integral garage and a parking space positioned almost centrally to the frontage. Plot 6 has two parking spaces to the front, directly off the access drive, within a front garden.

Scale

The dwellings are single-storey. Plots 1, 2 and 4 each contain 3 bedrooms and Plots 3, 5 and 6 each contain 2 bedrooms. The maximum width of any proposed pair of bungalows is 18.5m (Plots 3 & 4) and the maximum depth of any new bungalow will be 17.2m (Plot 4). The maximum ridge heights of the new bungalows are as follows: Plots 1 & 2 - 4.8m; Plots 3 & 4 – 5.05m; and Plots 5 & 6 – 5.5m. All main roofs are to be hipped.

Backland Policy

The central local planning policy is Policy HG13 – Backland Residential Development. This states that proposals for residential development of backland sites will be permitted where the requirements of seven listed criteria are met.

Having regard to the ‘backland policy’ considerations which apply and consultee comments received:

- The site lies within a defined settlement development boundary and does not comprise land allocated or safeguarded for purposes other than a residential use.
- The proposal includes existing private garden land which would not result in less satisfactory access or off-street parking arrangements or an unacceptable reduction in existing private amenity space.
- A safe and convenient means of vehicular and pedestrian access/egress can be provided that is not likely to cause undue disturbance or loss of privacy to neighbouring residents or visual detriment to the street scene. The driveway is not unduly long or narrow.
- The proposal does not involve tandem development using a shared access.
- The site does not comprise an awkwardly shaped or fragmented parcel of land difficult to develop in isolation or involve development which could prejudice a more comprehensive development solution.
- The site is not on the edge of a defined settlement and would not be a form of development out of character in its setting.
- The proposal would not be out of character with the area or set a harmful precedent for other similar forms of development.

The main ‘backland policy’ issues which therefore need to be considered are:

- Whether there would be any unreasonable loss of amenity to existing dwellings.
- Whether the access drive would be likely to cause undue disturbance to existing dwellings.

The wording of the policy accepts that new development may result in some loss of amenity to existing dwellings and the issue is, therefore (if a loss of amenity occurs at all) whether any such loss of amenity would be “unreasonable”.

Neighbouring amenities

Having regard to the scale, nature and layout of the proposal, your Officers consider that the main issues to be considered in terms of impact upon amenity neighbouring dwellings are:

- The outlook for surrounding dwellings.
- Disturbance to Nos.274, 276 and 278 St John’s Road and Nos.15, 17 and 19 Orwell Way from vehicles using the access drive and the car parking spaces to Plot 6.

Outlook:

The outline planning permission included a condition that no new dwelling should exceed 5.0m in height to its ridge. The reason given for the condition was that some surrounding dwellings are sited 11m from the site boundary and, consequently, there was the potential for

a material loss of amenities to existing occupiers should the new dwellings be higher. At that time, no details of the siting or design of the 8 new dwellings were proposed. Having regard to the smaller number of units now proposed, your Officers consider that having regard to the proposed layout and the hipped roof designs of the main roofs, the fact that Plots 3 & 4 will be 5.05m high and Plots 5 & 6 5.5m high will not result in any material loss of neighbouring amenities.

Disturbance:

The outline planning permission included a condition that required a planting belt 1.5m in width along both sides of the access drive (excluding the turning head, adjacent to the passing place and within the pedestrian visibility splays by the access). The reason for the condition was in the interests of visual amenity and to minimise noise and disturbance to the occupiers of Nos.278 and 274 St John's Road. The submitted landscaping scheme shows a planting strip of about 0.5m to the side boundary with No.278, to be planted with twenty-two silver birch trees. This would be less than the width of the planting belt required by the outline planning permission and there would not be sufficient room for silver birch trees to grow. Notwithstanding the reason given for the outline planning permission condition that the planting is needed to minimise noise and disturbance, having regard to the lower number of units now proposed and existing noise from St John's Road, the proposal would not result in any noise disturbance from traffic which would be considered materially harmful to the amenity of adjacent dwellings. More appropriate shrub planting should be required in the interests of visual amenity in the context of the application scheme.

Local character

Although semi-detached bungalows are not themselves characteristic of the surrounding area, there are significant advantages to this form of development in terms of new residential development as single-storey housing will avoid overlooking and minimise any loss of outlook to existing dwellings.

Other matters

The proposal would accord with necessary aspects of all other relevant development plan policies.

A financial contribution had already been paid in respect of the outline scheme. As the number of units proposed has been reduced by two, it is necessary to amend the Unilateral Undertaking to reflect this. The recommendation therefore makes provision for this.

There would be no harm to any protected trees.

Conclusion

The principle of developing the land for eight dwellings has been accepted. The proposal complies with adopted local planning policies and the National Planning Policy Framework and will make more efficient use of the land than at present. The development will not be materially harmful to any planning interests and there would be no sustainable reasons to refuse planning permission in the circumstances.

Background Papers

None