

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	27/07/18
Planning Development Manager authorisation:	AN	30/7/18
Admin checks / despatch completed	SB AP	30/07/18 30/7/18

Application: 18/00871/DETAIL

Town / Parish: Ramsey & Parkeston Parish Council

Applicant: BDG Design (South) Ltd.

Address: Land adjacent Roborough Church Hill Ramsey

Development: Erection of 3 dwellings.

1. Town / Parish Council

Ramsey & Parkeston Parish Council No comment.

2. Consultation Responses

Tree & Landscape Officer The application site is set to grass and the main body of the land does not contain any trees or other significant vegetation.

The boundary with Church Hill is demarcated by a strong boundary hedgerow comprising primarily Elm trees. The trees are a positive feature in the semi-urban street scene however they are showing signs of Dutch Elm Disease (DED) and are likely to succumb completely in the coming months or years. These are shown as retained and will provide a valuable screen in the medium term. They do not merit protection by means of a Tree Preservation Order.

The applicant has provided details of soft landscaping proposals that show the retention of the vegetation as described above as well as new tree and shrub planting. The planting shown in the proposals will be sufficient to soften and enhance the appearance of the development and to ensure that it sits comfortably in its setting.

ECC Highways Dept

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. Prior to the first occupation of the proposed dwelling, the proposed vehicular access shall be constructed to a width of 5.5m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

Reason: To ensure that all vehicles using the private drive access do so in a controlled manner and to ensure that opposing vehicles may pass clear of the limits of the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2. Prior to the proposed access being brought into use, vehicular

visibility splays of 120m by 2.4m by 120m as measured along, from and along the nearside edge of the carriageway, shall be provided on both sides of the centre line of the access and shall be retained and maintained free from obstruction clear to ground thereafter.

Reason: To ensure adequate intervisibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

3. No unbound materials shall be used in the surface treatment of the proposed vehicular access within 10m of the highway boundary.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

4. Prior to the first use of the proposed access, details of the construction and future maintenance of the necessary bridging or piping of the drainage ditch/watercourse shall be submitted to and approved in writing by the Lead Local Flood Authority (Essex County Council)

Reason: To prevent or reduce the risk of flooding of the adjoining highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

5. The development shall not be occupied until such time as the car parking and turning area, has been provided in accord with the details shown in Drawing Numbered 18.004/107.P1. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

6. Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants of that dwelling, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To promote the use of sustainable means of transport in accordance with Policy DM 1 and 9 of the Highway Authority's Development Management Policies February 2011.

7. No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors

- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 – Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

3. Planning History

17/00873/OUT	Erection of 3 dwellings.	Refused	20.07.2017
17/01556/OUT	Erection of 3 dwellings.	Approved	07.11.2017

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

EN1 Landscape Character

EN2 Local Green Gaps

EN23 Development Within the Proximity of a Listed Building

HG1 Housing Provision

HG9 Private Amenity Space

HG14 Side Isolation

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

LP1 Housing Supply

LP4 Housing Layout

PPL3 The Rural Landscape

PPL6 Strategic Green Gaps

PPL9 Listed Buildings

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

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. Paragraph 213 of the NPPF (2018) 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 48 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.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. 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 48 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.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any

fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing delivered over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line with the plan-led approach.

5. Officer Appraisal

Site Description

The application site is located on the southern side of Church Hill within the parish of Ramsey & Parkeston. The site measures approximately 0.25 hectares in size and is largely used as paddock and grazing land. To the west of site is the Church Hill junction with Mayes Lane and further to the south is a recently constructed school. To the north-east on the opposite side of the Mayes Lane junction is St Michael's Church which is a Grade I Listed Building. The boundary with Church Hill is demarcated by a strong boundary hedgerow comprising primarily Elm trees.

Description of Proposal

This application is a reserved matters application only and deals with all matters reserved from the previous outline permission 17/01556/OUT; namely access, appearance, landscaping, layout and scale.

The proposal seeks three detached dwellings, with two being served by three bedrooms and one being served by four bedrooms.

Assessment

1. Layout, Design and Appearance

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 submitted plans show the three detached dwellings are to be sited to the south of Church Hill, adjacent to the east of 'Roborough', and will be accessed via a joint-access point to the north of the site via Church Hill. Each dwelling is to be 2.5 storeys, detached and of a semi-rural appearance. In terms of the dwellings siting, this section of Church Hill does not have a particularly prevalent pattern of development, with plot widths noticeably varying; however adjacent to the west are four dwellings that have helped to form a linear development line. The proposed dwellings are to be sited in accordance with this and will therefore help to contribute to the areas existing building line.

In terms of the design of the dwellings, as previously noted they are each of a semi-traditional appearance. Each dwelling incorporates key features to help break up the bulk of the proposals, including front gables, chimneys, brick plinths, canopies and soldier courses, and overall are considered to be of a suitable design for this location. Further, a condition will be attached to ensure full details of all external materials are included within this decision, especially important given its close proximity to a Grade I Listed Building to the north-east.

Initially, the plans showed a 1.8m high close boarded fence eastern, southern and western boundaries, which Officers expressed concerns with due to how prominent it would appear from views from the east along Church Hill in particular. Therefore the applicant has submitted amended

plans that show a 1.2m high post and rail fence with shrub planting and native hedge planting. It is considered that this has addressed the previous concerns and will help to soften the appearance of the development.

Policy HG9 of the Saved Tendring Local Plan 2007 states that private amenity space for a dwelling of three bedrooms or more should be a minimum of 100 square metres. The plans submitted show that this level of amenity space can comfortably be provided for all three dwellings.

2. Residential Amenity

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

In terms of the impacts to neighbouring amenities, the only adjacent neighbour is 'Roborough' to the west. However, given there is a separation distance of 10m to the nearest dwelling there is not considered to be excessive impacts to neighbouring amenities in respect of loss of light or the dwellings appearing imposing. With respect to potential overlooking, the only first floor side elevation windows are served by either en-suites or bathrooms, which are not main habitable rooms and will be obscure glazed. Whilst it is accepted there will be a degree of overlooking from first floor rear elevation windows into neighbouring rear garden areas, each plot maintains a good separation distance and detached garages to serve each dwelling will reduce views. Therefore there is not considered to be significant impacts to existing or future neighbouring amenities as a result of the proposed development.

3. Heritage Impact

Policy EN23 of the Adopted Local Plan 2007 states proposals for development that would adversely affect the setting of a Listed Building, including group value and long distance views, will not be permitted.

Approximately 85m to the north-east of the application site is St Michael's Church, a Grade I Listed Building. However as concluded within the previous outline decision (17/01556/OUT), views of the church will not be obstructed from the area in front of the school to the south or from the Essex Way footpath, and therefore there would be no loss of public views of the church as a result of the proposal.

4. Highway Safety

Essex Highways have been consulted as part of this application and have stated that the proposal is acceptable subject to conditions relating to the access width, visibility splays, the use of no unbound materials, details of the maintenance of the bridging/piping of the drainage ditch/watercourse, car parking and turning area and submission of a Construction Method Statement.

Further, a condition was requested for a storage area for bicycles; however given the size of the private amenity area and garages proposed, this is not considered necessary on this occasion.

Furthermore, the Council's Adopted Parking Standards require that for dwellings with 2 or more bedrooms that a minimum of 2 parking spaces is required. Parking spaces should measure 5.5 metres by 2.9 metres and garages, if being relied on to provide a parking space, should measure 7 metres by 3 metres internally. The garages will meet the above requirements, but regardless there is sufficient space to the front and sides of the dwellings to accommodate the necessary parking.

5. Trees and Landscaping

The application site is set to grass and the main body of the land does not contain any trees or other significant vegetation; however the boundary with Church Hill is demarcated by a strong boundary hedgerow comprising primarily Elm trees. Whilst these trees are a positive feature, they

are shown to be retained and will provide a valuable screen to the development in the medium term. The submitted plans include a soft landscaping scheme which show the planting of additional tree and shrub planting, which will be sufficient to soften and enhance the appearance of the development.

Other Considerations

Ramsey and Parkeston Parish Council have not commented.

There has been one letter of objection received; with the following concerns:

1. Will lead to future development;
2. Access has partial views of oncoming traffic;
3. Landscape impacts

In answer to point 1 the principle of development for three dwellings has previously been accepted, whilst each case must be assessed on its own individual merits. Point 3 has been addressed within the main body of the report above, whilst with regards to point 2 the applicant has submitted a plan demonstrating visibility splays which accord with Highway Standards and will be included as a condition to this decision.

Conclusion

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

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers 18.004/100 Rev P1, 18.004/101 Rev P3, 18.004/102 Rev P1, 18.004/103 Rev P1, 18.004/104 Rev P1, 18.004/105 Rev P1, 18.004/106 Rev P2 and 18.004/107 Rev P1.

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

- 2 Prior to the first occupation of any of the hereby approved dwellings, the new vehicular access shall be constructed to a width of 5.5m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

Reason: To ensure that all vehicles using the private drive access do so in a controlled manner and to ensure that opposing vehicles may pass clear of the limits of the highway, in the interests of highway safety.

- 3 Prior to the new access being brought into use, vehicular visibility splays of 120m by 2.4m by 120m as measured along, from and along the nearside edge of the carriageway, shall be provided on both sides of the centre line of the access and shall be retained and maintained free from obstruction clear to ground thereafter.

Reason: To ensure adequate intervisibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety.

- 4 No unbound materials shall be used in the surface treatment of the new vehicular access within 10m of the highway boundary.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety.

- 5 Prior to the first use of the new access, details of the construction and future maintenance of the necessary bridging or piping of the drainage ditch/watercourse shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent or reduce the risk of flooding of the adjoining highway, in the interests of highway safety.

- 6 The development shall not be occupied until such time as the car parking and turning area, has been provided in accord with the details as shown on Drawing Number 18.004/107.P1. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety.

- 7 No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and under body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety.

- 8 No development shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

Reason - The site is within a sensitive location in proximity to a Grade I Listed Building.

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.