

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SCE	27.07.18
Planning Development Manager authorisation:	AN	30/7/18
Admin checks / despatch completed	AP	1/8/18

WAL

Application: 18/00905/FUL **Town / Parish:** Weeley Parish Council

Applicant: Mr Will Vote

Address: Land adjacent Willow Farm Mill Lane Weeley Heath

Development: Erection of single storey telecommunication cabinet with associated hardstanding.

1. Town / Parish Council

Mrs Nicola Baker Weeley Parish Council has no objection to this application

2. Consultation Responses

ECC Highways Dept The Highway Authority does not object to the proposals as submitted.

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

98/00531/OUT	(Site adjacent The White Hart Public House, Clacton Road, Weeley) Proposed dwelling	Refused	02.06.1998
13/00412/OUT	Outline application for 10 No. aspiration houses together with new road junction.	Approved	15.07.2013
15/00541/OUT	Redevelopment of existing Pig Farm, removal of existing buildings and associated structures. Remediation of contaminated land. Provision of a new residential development providing 10 dwellings accessed via Mill Lane and 36 dwellings accessed via	Approved	18.03.2016

	Clacton Road, garages and associated works.		
16/01444/DISCON	Discharge of conditions 7 (Drainage Ditch/Watercourse), Condition 11 (Drainage Ditch/Watercourse), Condition 12 (Vehicular Access and Vehicular Crossing), Condition 16 (Bicycle Storage), Condition 18 (Vehicular Turning Facility), Conditions 22 (Surface Water Drainage Scheme), Condition 23 (Scheme for Offsite Flooding), Conditions 24 (Surface Water Drainage Scheme), Condition 25 (Hard and Soft Landscaping), Condition 27 (Ecological Management Scheme), Condition 28 (Remediation Method Statement), Condition 29 (Asbestos Survey), Condition 30 (Construction Method Statement), Condition 31 and Condition 32 (Implementation Measures Scheme) of the approved planning application 15/00541/OUT.	Approved	23.05.2018
16/01456/DETAIL	Redevelopment of existing Pig Farm, removal of existing buildings and associated structures. Remediation of contaminated land. Provision of a new residential development providing 10 dwellings accessed via Mill Lane and 36 dwellings accessed via Clacton Road, garages and associated works.	Approved	10.03.2017
18/00903/DISCON	Discharge of Condition 25 (hard and soft landscaping) of planning permission 15/00541/OUT.	Approved	15.06.2018
18/00904/NMA	Amendments to 15/00541/OUT & 16/01456/DETAIL to change roof pitches, reduce chimney heights and amend design, increase attenuation basin size; move parking spaces; relocation of Plots 35, 36, 45 and 46; changes to fenestration and doors; amended eaves and plinth details; increase in size of utility room on 2 plots; material changes and landscape changes to reflect the layout changes.	Approved	04.07.2018

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

Tendring District Local Plan 2007

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)

SP5 Infrastructure & Connectivity

SPL3 Sustainable Design

CP3 Improving the Telecommunications Network

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.

5. Officer Appraisal (including Site Description and Proposal)

Existing Site and Surrounding Area

The application site was formally a pig farm, but is currently a construction site. To the north west of the site are residential properties in Clacton Road and agricultural land. To the south east of the site is The White Hart Public House and residential properties in Rectory Road.

Proposal

This application seeks planning permission for the erection of a single storey telecommunication cabinet with associated hardstanding on land adjacent to Willow Farm, Mill Lane, Weeley.

Planning application 15/00541/OUT granted outline planning permission for the removal of existing buildings and associated structures; remediation of contaminated land; provision of a new residential development providing 10 dwellings accessed via Mill Lane and 36 dwellings accessed via Clacton Road. Following this a reserved matters application 16/01456/DETAIL was submitted

and approved to deal with all outstanding issues. Minor amendments to the design of the dwelling and layout were approved under 18/00904/NMA.

The proposed telecommunications cabinet is located within the new development, towards the north west boundary. The proposed building measures 2.7 metres by 4 metres with a ridge height of 3.7 metres. The proposed materials are Highcliffe Weathered buff brick and fibre cement slates.

An asphalt drive measuring approx. 20 metres is proposed to provide access to the building and a parking/turning area to the front of the building. The land surrounding the access and building is proposed to be laid to grass.

Representations

None Received

Appraisal

The proposed telecommunications cabinet is proposed to provide broadband internet connect to the dwellings on the development currently being constructed, which is a requirement set out in Policies SP5 and CP3 of the Tendring District Local Plan 2013-2013 and beyond Publication Draft June 2017.

The proposed building is single storey in height and therefore would not appear prominent within the surrounding area. The design and use of materials are in keeping with the surrounding development (currently under construction) and would therefore result in no visual harm. The proposed building will be surrounded by residential properties on both side and therefore the proposed access would not appear out of character.

It is considered that the proposal would not result in any adverse impact on neighbouring residents. Whilst it is located 5 metres away from proposed plot 9, the use of the building will not generate significant activity or noise that would result in an adverse impact on residential amenity.

6. Recommendation

Approval - Full

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 Drawing Nos: B745/P/100, B745/P/101, B745/P/102 and B745-OSCP01.

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

- 3 The materials use for the development hereby permitted shall be as set out in the External Materials Schedule Revision B, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that materials of an acceptable quality appropriate to the area are used.

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.

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