

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	26/07/2018
Planning Development Manager authorisation:	AN	30/7/18
Admin checks / despatch completed	SB	02/08/18

Application: 18/00913/DETAIL **Town / Parish:** Weeley Parish Council

Applicant: Mr & Mrs Lonsdale

Address: Plot 3 Wenlock Road Weeley

Development: Reserved Matters Application following Outline Approval 17/00381/OUT for Plot 3 in respect of conditions 03 and 07 of the previous outline approval.

1. Town / Parish Council

Weeley Parish Council has no objection to this application

2. Consultation Responses

Tree & Landscape Officer The information provided demonstrates that the trees on the boundaries of the application site will be retained and protected for the duration of the construction phase of the development. The information provided is in accordance with BS5837 2012 Trees in relation to designs, demolition and construction: Recommendations

Details of soft landscaping, primarily the provision of boundary hedgerows comprising indigenous species, has also been provided. This information is sufficient to secure an adequate level of new planting to ensure that the new dwelling sits comfortably in its setting.

ECC Highways Dept

The Highway Authority observes that Wenlock Road is classified as a Private Road and therefore 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

Environmental Protection I have no adverse comment to make on this application.

3. Planning History

14/30356/PREAPP	Demolition of workshops and dwelling and erection of 5 detached dwellings.	Refused	19.06.2015
17/00381/OUT	Erection of 3 No. detached houses and garages (Following demolition of one house and vehicle body repair workshops).	Approved	18.05.2017
17/30236/PREAPP	Erection of a single dwelling.	Approved	
17/01594/DETAIL	Reserved matters application following outline permission 17/00381/OUT for Access, Appearance, Landscaping, Layout & Scale for Plot 3.	Approved	16.11.2017
18/00032/DETAIL	Revised reserved matters application following outline permission 17/00381/OUT for Access, Appearance, Landscaping, Layout & Scale for Plot 3 - variations to the approved design and layout to include a swimming pool/plant room to the rear of the approved garage.	Approved	29.03.2018
18/00050/DISCON	Discharge of Conditions 5 (Contamination) and 9 (Construction Method Statement) of planning permission 17/00381/OUT.	Approved	09.03.2018

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG9 Private Amenity Space

TR7 Vehicle Parking at New Development

EN1 Landscape Character

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

SPL1 Managing Growth

SPL3 Sustainable Design

PPL3 The Rural Landscape

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 (including Site Description and Proposal)

Site Description

The application site is located at the end of Wenlock Road, a private road located around 80 metres south west of the edge of the Settlement Development Boundary for Weeley as defined

within both the saved and emerging local plans. The road serves horse paddocks and four existing dwellings plus the existing dwelling and business on the application site.

To the immediate west lies the dwelling Greenacres, with open agricultural land to the north, east and south. To the west of the lower section of the site lies the dwelling Maudlings.

Description of Proposal

The application seeks the approval of the reserved matters in relation to plot 3 of the approved outline application reference 17/00381/OUT.

Reserved Matters were previously approved under application reference 17/01594/DETAIL and varied under 18/00032/DETAIL. This applications seeks to revise the approved scheme again.

The amendments to the previously approved design include a single storey link between the main house with the garage and swimming pool addition (approved under 18/00032/DETAIL) together with a new dormer window to the rear of the garage, lowered dormer window to the front of the garage and an alternative front door design.

Assessment

The main considerations are;

- Principle of Development;
- Scale, Layout and Appearance;
- Access and Parking;
- Other Matters; and,
- Representations.

Principle of Development

Outline consent was given by the Planning Committee on 16th May 2017 under planning application reference 17/00381/OUT subject to the following conditions;

- 1 – 3. Standard Time Limit Conditions
4. No occupation until business relocated and operational
5. Submission of Contamination Report/Investigation
6. Submission of Demolition Method Statement
7. Submission of Details of root protection
8. Removal of PD for fences and enclosures
9. Submission of Construction Method Statement

Outline consent was given with all matters reserved for subsequent approval.

The principle of residential development on this site has therefore been established through the granting of 17/00381/OUT for the 'Erection of 3 No. detached houses and garages (Following demolition of one house and vehicle body repair workshops)' with all matters reserved. The reserved matters application must therefore consider scale, layout, appearance, landscaping and access of plot 3.

Scale, Layout and Appearance

The amended plans result in a two storey dwelling and link detached garage with storage above which sits comfortably within its plot with ample separation to the boundaries to prevent it appearing cramped.

A substantial rear garden in excess of the 100 square metre minimum is provided in accordance with saved policy HG9.

The design is traditional with twin front gables and dormer windows constructed of a mixture of multi red brick, very pale green render, sage boarding and natural slate to the roof as detailed within the submitted materials schedule.

The proposed dwelling sits significantly forward of its neighbour at The Maudlings, however the separation distance and substantial tree screening prevent any material harm from this siting and adequate soft landscaping is proposed to the frontage.

The garage and swimming pool elements are sited adjacent to the neighbour with only a high level rooflight and ground floor window on the facing elevation of the pool area and a rear facing dormer within the garage serving the store area only.

Two first floor bedroom and two first floor ensuite windows are on the facing elevation of the proposed dwelling with views partially obscured by the proposed garage building. The mature trees on the boundary and the significant separation distance of over 17 metres to the boundary ensure no material loss of privacy would result.

The infill between the dwelling and the garage/pool replaces a high level fence and gate with a single storey extension which will be fully contained within the built form of the dwelling, garage and pool itself. The visual impact is therefore minimal having very little street scene impact or wider landscape impact. The dwelling retains ample private amenity space and spacing to the boundary and the revisions to the previously approved scheme cannot be considered significantly harmful. Furthermore, the amended design results in no further neighbouring impact due to the dense boundary screening.

Landscaping

The submitted plans adequately illustrate the root protection areas of the mature Oak trees to the southern and western boundaries and full details of their protection during construction works, as controlled by condition 7 of the outline permission.

The Council's tree officer confirms the development can take place without causing harm to the trees. The amendments do not result in any additional impact upon the trees or landscaping.

Access and Parking

Wenlock Road is a private road. Condition 09 of the outline permission requires submission of a construction method statement which has been submitted and approved under 18/00050/DISCON.

The proposal includes a double garage which is approximately 0.6m too shallow to meet the minimum requirements of the parking standards. However there is ample parking for at least two vehicles on the driveway in addition to the space within the garage.

The access and parking arrangements are therefore considered acceptable.

Representations

Weeley Parish Council raises no objection.

No individual letters of objection have been received.

Conclusion

For the reasons set out above, the revised reserved matters application is recommended for approval.

6. Recommendation

Approval - Reserved Matters/Detailed

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 1803-10 and 1803-09 revision B; and Schedule of Materials.

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

- 2 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on drawing number 1803-10 shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To ensure the adequate maintenance of the approved landscaping scheme for a period of five years in the interests of the character of the surrounding area.

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.

Conditions Precedent

The applicant is reminded that the detailed planning consent is subject to conditions attached to the outline permission for this development ref 17/00381/OUT (and related Discharge of Condition application 18/00050/DISCON). Please refer to the outline planning permission to ensure full compliance with all conditions.