

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	10/08/2018
Planning Development Manager authorisation:	AN	13/8/18
Admin checks / despatch completed	W	15/8/18

Application: 18/00995/FUL

Town / Parish: Alresford Parish Council

Applicant: Punch Partnerships (PML) Limited

Address: Land Adj The Pointer Inn Wivenhoe Road

Development: Erection of two detached houses with detached bin/cycle stores, 1.8m high brick wall with timber panels served by new vehicle access and associated parking.

1. Town / Parish Council

Alresford Parish Council

The Parish Council has no objection in principle to two detached houses being built on this site as it is inside the settlement boundary. But, the house design leaves a lot to be desired. It is very poor and not in keeping with other more preferable designs currently being constructed in this village.

2. Consultation Responses

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 dwellings, 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.

** Note: The new vehicular crossing shall not extend further than the inner tangent of the bellmouth to Furze Crescent.

2 No unbound materials shall be used in the surface treatment of the proposed vehicular access throughout.

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.

3 The development shall not be occupied until such time as the car parking and turning area, has been provided in accord with the submitted details. 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.

4 The parking spaces / vehicular hardstandings shall be constructed to minimum dimensions of 5.5m x 2.9m and retained thereafter.

Reason: To encourage the use of off-street parking, 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.

5 Prior to the occupation of the proposed development, details of the provision for the storage of bicycles for each dwelling 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.

6 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

Tree & Landscape Officer

The site currently forms part of the beer garden of The Pointer Inn and is set to grass. There are a few trees on the land but no other significant vegetation..

In order to show that the development proposal could be implemented without causing harm to the trees the application has provided a full Tree Survey and Report. This report is in accordance with BS5837: 2012 Trees in relation to design, demolition and construction:

Recommendations.

The report contains Tree Constraints Plan (TCP) and shows the Root Protection Areas (RPA's) of all trees on the application site and adjacent land. The information provided adequately demonstrates that the development proposal can be implemented without causing harm to retained trees.

The site layout plan shows the construction of a 1.8m tall brick wall within the RPA of the Sycamore, just 'off-site' and numbered T3 of the tree report. The applicant will need to provide details of the construction of the foundations of the wall so as to avoid casing damage to the roots of the tree. Traditional 'strip' foundations will not be acceptable as they would be likely to cause damage to roots. Special construction techniques will need to be used to minimise excavation works within the RPA.

In terms of soft landscaping the site layout plan shows indicative planting. Details of this planting should be secured by a planning condition.

3. Planning History

06/00169/FUL	Forming new patio doors to side elevation	Approved	19.04.2006
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4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

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

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

COM3 Protection of Existing Local Services and Facilities

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

CP1 Sustainable Transport and Accessibility

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 deliver 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 and Context

The application site is located on the corner of Furze Crescent and Wivenhoe Road comprising approximately 0.06 hectares of the beer garden area of The Pointer Inn, Alresford. The application site is located within the settlement boundary of Alresford as defined within both the adopted and emerging Tending District Local Plans.

The Pointer Inn is a brick built, two storey building under red clay tiled roof. It features painted white sash windows, brick chimneys and sits immediately adjacent to Wivenhoe Road. The pub features a car park to the east and extensive pub garden to the north and west. The application site itself relates only to the westernmost section of the pub garden which is generally flat and largely laid to grass being enclosed by close boarded fencing and featuring a small number of trees.

With the exception of The Pointer Inn the area is characterised by residential dwellings being a mixture of detached, semi-detached and terraced properties dating mainly from the 1960s, 1970s and 1980s. Homes are constructed in a variety of materials but predominantly feature brick and render under tiled roofs.

Description of Proposal

The application seeks full planning permission for the erection of two detached houses served by a new access onto Furze Crescent. The broadly rectangular site would be divided east west into approximately equal halves (albeit with the southern plot 1 having a slightly wider, tapering rear garden).

Each plot would have an approximately 9 metre wide road frontage to Furze Crescent with a central shared access leading to two parking bays to the front of each property. Each house would be of similar design (plot 2 having a bay window feature) and dimensions being 6.3 metres wide, 9.3 metres deep and 8.3 metres high to the roof ridge. The houses are to be constructed of red brick to harmonise with similar local materials with white upvc windows, black rain water goods and a tiled roof.

Each plot benefits from an 11 metre deep rear garden with bin and cycle storage being provided to the rear garden of plot 1 and to the north side of plot 2. The gardens would be enclosed by a 1.8 metre high block wall with timber panel infill to the south and eastern boundaries and a 1.8 metre high close board fence between each plot.

Assessment

The main considerations in this instance are;

- Principle of Development;
- Impact on the Viability of the Public House;
- Design and Impact;
- Residential Amenities;
- Highway Safety and Parking;
- Trees and Landscaping; and,
- Representations.

Principle of Development

The application site lies within the defined settlement boundary of Alresford and therefore the principle of residential development is acceptable subject to the detailed considerations set out below.

Impact on the Viability of the Public House

The public house is retained as part of the proposal and will continue to function and serve the local community in the same manner as at present. Although this scheme would result in a slight reduction in the size of the pub garden, more than ample space would be retained to cater for patron's needs.

Design and Impact

Furze Crescent is predominantly characterised by semi-detached and terraced dwellings. However, immediately to the north of the site is a detached property with examples of other detached dwellings on the opposite side of Wivenhoe Road. The proposal for detached dwellings is therefore considered an appropriate response to the character of the area.

The layout plan shows how the 2 dwellings are to be accommodated. Their siting retains a good set back from Furze Crescent (being in line with the immediate neighbour to the north) and Wivenhoe Road, provides sufficient spacing between the dwellings in excess of that required by side isolation Policy HG14 of the adopted Tendring District Local Plan 2007 (TDLP) and private amenity areas of a sufficient size to comply with Saved Policy HG9 of the TDLP. The site can therefore satisfactorily accommodate 2 dwellings without appearing cramped or out of character.

The proposed dwellings are to be of simple form and traditional appearance and are to include red brick elevations under plain concrete tile roof. Porches, gables and casement windows, being common features throughout the locality are to be replicated to ensure integration into the local environment. The use of pronounced decorative brick banding references the public house detail and the use of white upvc timber soffits and fascias will further enhance the dwellings' traditional appearance whilst reinforcing local distinctiveness. The southern plot 1 features a bay window to the south side addressing Wivenhoe Road in order add interest on this prominent corner plot.

Rear gardens to the proposed dwellings are to be in excess of 11 metres in depth and each will accommodate refuse and cycle storage facilities. Each garden will be bounded by a combination of brick wall and close boarded timber fencing again adding interest on this prominent corner rather than plain fencing and concrete posts. The parking forecourt, front and side garden areas will be landscaped and will include low level planting softening the hard surfaced areas and development overall. Boundaries between the proposed dwellings are to include 1.8 metre high close boarded fencing.

Overall, the scale, layout and design are considered acceptable and will result in a satisfactory development in terms of the street scene impact and visual impact to the character of the area overall.

Residential Amenities

Saved Policy HG9 of the adopted plan specifies minimum garden areas for new homes. For three bedroom homes this is 100 square metres. In this case plot 1 has 125 square metres whilst plot 2 has 103 square metres (excluding front gardens and areas to the sides of the homes). This more than adequately satisfies the terms of this policy.

The houses would abut retained areas of the pub garden and may be subject to some activity and disturbance as a consequence of this proximity. The boundary treatment comprises a brick wall with piers and acoustic fence panels (secured by approved plans condition) to help mitigate any impact. There will of course be a buyer beware factor as any noise and disturbance cannot be completely avoided. Regard must also be had to the residential character of the area and the presence of existing dwellings in closer proximity to the pub garden (10 to 16 The Chequers).

The only immediate neighbour is 8 Furze Crescent to the north which has no habitable windows addressing the application site. Accordingly it is not considered that there would be any adverse overshadowing or loss of outlook to this neighbour. Any overlooking from first floor rear windows into the private garden area of number 8 will be from bedrooms only and obliquely angled therefore resulting in no significant loss of privacy.

For the reasons set out above, the proposed development is considered acceptable in residential amenity terms.

Highway Safety and Parking

The development makes provision for a suitable access, turning and parking for the 2 dwellings in accordance with adopted parking standards. Essex County Council Highway Authority raise no objection subject to condition. Furthermore, the site is located in a highly sustainable location within easy walking distance of many amenities and public transport links.

Trees and Landscaping

A tree survey has been submitted with the application. The survey confirms that there will be no adverse impact on trees on the site and that the retained trees on and adjacent to the site will assist in integrating the development with its surroundings together with the additional soft landscaping secured by condition.

Representations

Alresford Parish Council do not raise an objection to the principle of 2 detached dwellings but do raise concerns over poor design not being in keeping with the more preferable designs in the area.

The design and impact of the development is addressed above.

2 letters of objection have been received raising the follow concerns;

- Severely detrimental impact upon the viability of the pub.
- Complaints from occupants of the new dwellings will result in the pub closure.
- Detrimental impact upon the community.
- The benefits of 2 houses do not outweigh the harm to the pub.

The impact of the development will not reduce the pub garden to an useable size. The impact on residential amenities has been addressed in the main report above. In the absence of any harm resulting from the development, the approval of 2 dwellings will contribute to the housing need for the area in a highly sustainable location.

Conclusion

For the reasons set out above, the proposed development is considered to accord with the aims and aspirations of national and local plan policies providing a satisfactorily designed development in a sustainable location without resulting in any material harm to visual amenities, residential amenities, the character of the area and the viability of the pub garden. The application is therefore recommended for approval.

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 plans: Drawing No. 17-2489-104 Revision P1, Drawing No. 17-2489-103 Revision P1, Drawing No. 17-2489-102 Revision P1, Drawing No. 17-2489-101 Revision P1 and Drawing No. 17-2489-100 Revision P2.

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

- 4 No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of soft landscaping works for the southern (side) and western (front) boundary of the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 - Trees in Relation to Design, Demolition and Construction."

Reason - In order to soften and enhance the appearance of the development.

- 5 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details 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 that the landscaping scheme is suitably implemented within an appropriate timescale.

- 6 Prior to the first occupation of the proposed dwellings, 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.

- 7 No unbound materials shall be used in the surface treatment of the proposed vehicular access throughout.

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

- 8 The development shall not be occupied until such time as the car parking and turning area, has been provided in accord with the submitted details. 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.

- 9 The parking spaces / vehicular hardstandings shall be constructed to minimum dimensions of 5.5m x 2.9m and retained thereafter.

Reason - To encourage the use of off-street parking, in the interests of highway safety.

- 10 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.

- 11 Notwithstanding the details set out with the accompanying Arboricultural Implications Assessment and Method Statement Report Ref: 181028 - AIA 2, no dig construction methods shall be used for the foundations of the boundary wall along the south and eastern boundaries of the site falling within the Root Protection Area of the retained sycamore tree T3 of the Tree Report, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure the continued good health and viability of a tree with high visual amenity value.

- 12 The development hereby approved shall be carried out in accordance with Arboricultural Implications Assessment and Method Statement Report Ref: 181028 - AIA 2 dated 13 June 2018.

Reason - To ensure the continued good health and viability of the trees with high visual amenity value.

- 13 No construction works or deliveries in connection with the development shall take place outside the hours of 0700 hours and 1900 hours Monday to Friday and 0800 hours and 1300 hours Saturdays, with the exception of any piling or other percussive works which shall not take place outside the hours of 0800 hours and 1700 hours Monday to Friday.

Reason - To protect the local amenity and reduce the likelihood of complaints of statutory nuisance as the site is within close proximity to existing dwellings.

- 14 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted (including the boundary walls) have been submitted to and approved in writing by the Local Planning Authority. Details shall include the colour and materials of the window headers and tile hanging to rear bay. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of visual amenity as insufficient information has been submitted within the application for full consideration of these details.

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.

Highways Informatives

1. Condition 6 Note: The new vehicular crossing shall not extend further than the inner tangent of the bellmouth to Furze Crescent.

2. 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:

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