

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

LP4 Housing Layout

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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.

5. Officer Appraisal

Site Description

The application site is on the south side of Frinton Road - opposite the junction with Park Boulevard and close to the junction with Ingarfield Road. The site comprises a link detached dwelling with garden space to the front and rear. Off street parking in the form of a private garage is to the rear of the property, and is accessed via a shared driveway from Ingarfield Road.

Proposal

This application seeks planning permission for the creation of a vehicular access and associated dropped kerb to the front of the site, onto Frinton Road.

Appraisal

The main considerations of this application are highway safety, visual impact and impact on neighbouring amenities.

Highway Safety

Essex County Council Highways Authority has been consulted, and has objected to the proposal. The proposal is considered to be detrimental to highway safety for the following reasons:

- The creation of a vehicular access would introduce an additional and unnecessary point of traffic conflict into the highway.
- The proposal would lead to intensification of use of the site without adequate parking and turning facilities - giving rise to vehicles reversing into the highway.

Visual Impact

The surrounding area is characterised by residential properties, and although immediately adjacent properties have closed front boundaries with vehicular access to the rear, properties in the wider area feature accesses to the front. The proposal is therefore not considered harmful to the visual amenity of the area.

Impact on Neighbours

The proposal is low level to the front of the site, and will have no impact on neighbouring privacy, daylight or outlook. It is considered that the level of traffic using the proposed access would not result in any adverse impact on neighbouring amenities.

Other Considerations

No letters of representation have been received.

Conclusion

Whilst the proposal would not result in any adverse impact on the character of the area or neighbouring amenities, it is considered that it would be detrimental to highway safety and therefore fails to meet the criteria set out in the relevant policies of the Tendring District Local Plan 2007 and the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

6. Recommendation

Refusal - Full

7. Reasons for Refusal

- 1 The National Planning Policy Framework at Paragraph 108 states that, amongst other things, decisions should take account of whether 'safe and suitable access to the site can be achieved for all users'. Policy TR1A of the Tendring District Council Local Plan 2007 states that 'proposals for development affecting highways will be considered in relation to the road hierarchy to reducing and preventing hazards and inconvenience to traffic and the effects on the transport system including the physical and environmental capacity to accommodate the traffic generated'. In addition, Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) states that 'access to the site being practicable and the highway safety network being able to safely accommodate the additional traffic the proposal will generate'.

The proposal leads to the creation of a further vehicular access which would introduce an additional and unnecessary point of traffic conflict into the highway. Furthermore, the proposal would lead to intensification of use of the site without adequate parking and turning facilities, and would therefore give rise to vehicles reversing into the highway to the detriment of highway safety. The proposal is therefore contrary to the above policies.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

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