

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	28/08/18
Planning Development Manager authorisation:	SCE	28.08.18
Admin checks / despatch completed	AW	28/8/18

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Application: 18/01010/FUL **Town / Parish:** Ramsey & Parkeston Parish Council

Applicant: Mr Richardson - Ramsey School Developments Ltd

Address: Land Site of Former Ramsey Primary School Wix Road Ramsey

Development: Erection of 5 dwellings (Replacement of dwellings under 15/01575/FUL).

1. Town / Parish Council

Mrs Lin Keating

The view of the Ramsey & Parkeston Parish Council is to support the application

2. Consultation Responses

Tree & Landscape Officer

The site is affected by Tree Preservation Order (TPO) 06/05. The development proposal makes provision for the retention of the best trees on the land with the highest amenity value.

The construction of the new dwellings in the positions shown on the site layout plan would necessitate the removal of a small Prunus (T12 of the TPO). The removal of this tree was identified in the previously approved planning permission 15/01575/FUL and will not have a significant adverse impact on the character or appearance of the area.

The proposal to reduce the crown of the Sycamore (T11 of the TPO) will not adversely affect its health, condition or visual amenity value.

The trees on the northern section of the application site are unaffected by the development proposal.

ECC Highways Dept

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all purpose access) will be subject to the Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway by the ECC.

From a highway and transportation perspective the impact of the

proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1 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 BN235-P051. 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.

2 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.

3 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

Natural England

Essex Wildlife Trust

Natural England has no comments to make on this application.

3. Planning History

10/00840/FUL	Demolition of existing building and construction of a new care home for the care of elderly residents and those suffering dementia consisting of 45 en-suite bedrooms and communal shared facilities and garden and parking.	Refused	16.12.2010
11/00896/FUL	Demolition of existing building and construction of new care home, for the care of elderly residents and those suffering from dementia, consisting of 45 en-suite bedrooms and communal shared facilities, garden and parking.	Approved	05.10.2011
13/01064/OUT	Construction of 8no. new dwellings on former school site.	Withdrawn	20.11.2013
14/00319/OUT	Change of use of former school buildings to 2 no. dwellings together with 5 no. new dwellings to remaining site area.	Approved	08.10.2014
15/01575/FUL	Redevelopment of site with eight dwellings.	Approved	02.06.2016
18/00588/FUL	Two storey side extension.	Approved	24.05.2018
18/00793/NMA	Internal and external alterations to plots originally numbered 4-8 (currently 5-9). Removal of tree adjacent plot 5 (6) and reduction of crown of further tree as agreed with Tree Officer. Relocation of plots 5-7 (6-8) to improve layout.	Approved	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

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
- HG1 Housing Provision
- HG6 Dwelling Size and Type
- HG7 Residential Densities
- HG14 Side Isolation
- EN1 Landscape Character
- EN6 Biodiversity
- EN6A Protected Species
- TR1A Development Affecting Highways
- TR7 Vehicle Parking at New Development
- HG9 Private Amenity Space

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

- SPL1 Managing Growth
- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- LP1 Housing Supply
- LP3 Housing Density and Standards
- LP4 Housing Layout
- PPL3 The Rural Landscape
- PPL4 Biodiversity and Geodiversity
- 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 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 Location

The application site is situated on the north side of Wix Road in Ramsey. It comprises of the former Ramsey Primary School Caretaker's house. The site is situated on land which was the former County Primary School. It is approximately 0.58 ha in area, rectangular in shape with large areas of paving forming the school playgrounds to the rear and car parking to the front of the buildings. The topography of the site is relatively level along Wix Road rising from 4m AOD to the north 11m AOD. The western boundary of the site is marked by 1.8m shiplap fencing and various patches of vegetation. The eastern boundary of the site is marked by 1.8m post and rail mesh fencing and further to the rear mature lines of trees.

To the east of the site there is a row of residential dwellings in a linear form facing towards the road, these form a group of two-storey, semi-detached dwellings. To the north, north-east and west of the application site is open countryside and to the south is Stagecoach Stud farm.

The main part of the village lies to the east and the application site marks the western edge of built form. The village centre falls within Ramsey Conservation Area which also lies to the east of the application site. Beyond the A120 Road to the south-east is South Hall which forms the western edge of Harwich.

There is a river to the south-east of the village and the site lies partly within the flood risk zone. The application is located outside, but adjacent to, the defined settlement development boundary in the saved local plan, but within the SDB in the draft local plan.

Proposal

The application seeks planning permission for the erection of five detached dwellings located to the rear of the application site set around a courtyard area. The dwellings are a replacement of those previously approved under planning permission 15/01010/FUL.

Planning History

11/00896/FUL - demolition of existing building and construction of new care home, for the care of elderly residents and those suffering from dementia, consisting of 45 en-suite bedrooms and communal shared facilities, garden and parking- approved.

14/00319/OUT - outline planning permission for 5 dwellings (all matters reserved) - approved. The scheme also appears to indicate that the existing main school building would be converted into 2 further dwellings although such changes of use cannot specifically be the subject of an outline application. The scheme included retention of the Caretakers property.

15/01575/FUL - redevelopment of the site for 8 dwellings - approved. The scheme consisted of the demolition of the buildings at the application site with the exception of the caretakers house which would be retained. Three terraced dwellings to the front of the site with five detached houses to the rear set around two courtyard areas.

18/00668/FUL - provision of 1 x 3 bed dwelling and 3 x 3 bed terraced housing - approved. The scheme involved the siting of the terraced dwellings and detached dwelling to the front of the application site.

Assessment

The main planning considerations are:

- Principle of Development
- Design and Appearance
- Residential Amenity
- Highway Safety
- Trees and Landscaping
- Biodiversity

Principle of Development

The principle of residential development on this site has been established through the approval of planning application 15/01575/FUL.

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 proposed five dwellings, plots 5 - 9, are located to the north of the application site. The application site is located approximately 26 metres away from the highway, which is considered a sufficient distance to Wix Road. The layout of the dwellings has altered from the previous permission 15/01575/FUL. Plots 5 and 9 both propose an L Shape, plot 6 has moved further east, plot 7 comprises of a semi detached garage and plot 8 has moved further east away from the boundary. Timber fencing is proposed to denote the plot boundaries. It is considered that the

proposed changes above are not detrimental to the street scene of Wix Road and the proposed alterations are considered acceptable in terms of design and the proposed dwellings will be in keeping with the character of the area. In terms of materials; plot 5 and 9 will be constructed from a slate roof, facing brickwork and timber sash windows. Plot 6 and 8 will be constructed from a slate roof, facing brickwork, timber sash windows and timber cladding. Plot 7 will be constructed from a slate roof, facing brickwork and Recon stone portico. The materials proposed are considered to be acceptable and will not be detrimental to the street scene.

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 submitted plans demonstrate that plots 5-9, achieve the policy requirements and therefore considered acceptable in this location.

Residential Amenity

Plot 5 is located to the east of the application site however due to the approximate 7.5 metre distance to the boundary, as well as the existing vegetation along the boundary, the proposal will not cause any significant impact upon the neighbouring dwelling number 1 Wix Road. There are three windows serving bedrooms proposed to the east elevation of the dwelling. Due to the separation distance and the set back of the application site from the neighbouring dwellings, it is not considered that there will be any significant degree of overlooking as a result, and it would therefore not be reasonable to recommend refusal on this basis.

Plot 6 is located to the east of the application site and it will maintain approximately 2.5 metres to the neighbouring boundary which complies with Policy HG14 of the Tendring District Local Plan. It is considered that due to the existing vegetation along the boundary as well as the proposals being set back from the neighbouring dwellings, the proposal will not cause any significant impact upon the neighbouring dwelling number 1 Wix Road. There are two windows proposed on the eastern elevation of the proposed dwelling which will serve the ensuite and landing however again due to the separation distance, the proposed windows are not considered cause any significant degree of overlooking as a result.

Plot 9s rear elevation is a mirror of plot 5 and therefore there will be three windows serving bedrooms to the western elevation. Due to the separation to neighbouring dwellings and the proposal maintaining at least 1 metre to the neighbouring boundary to comply with Policy HG14 of the Tendring District Local Plan, the proposal is not considered to cause any direct overlooking onto neighbouring amenities.

Plot 8 comprises of two windows on the western elevation that will serve a bathroom and landing. Again, due to the separation distance to neighbouring dwellings and the existing vegetation along the boundary, the proposal is not considered to cause any significant impact upon neighbouring amenities.

Highway Safety

Essex County Council Highways have been consulted on this application and have no objections subject to the following conditions:

- Turning/parking provided prior to occupation
- Provision for storage of bicycles provided prior to occupation
- Construction Method Statement to be submitted prior to development

The plans submitted demonstrate that the proposed dwellings can accommodate two parking spaces measuring 5.5 metres by 2.9 metres in line with Essex Parking Standards.

Trees and Landscaping

The tree and landscaping officer has been consulted on this application and has stated that the construction of the new dwellings would require the removal of a small Prunus (T12 of the TPO). However this removal was identified in the previously approved planning permission 15/01575/FUL

and as a result it will not have an adverse impact on the character or appearance of the area. The proposal to reduce the crown of the Sycamore (T11 of the TPO) will not adversely affect its health, condition or visual amenity value. A soft landscaping condition will be imposed for this scheme, there is not considered to be any identifiable harm in terms of trees and landscaping impacts.

Biodiversity

A phase 1 habitat survey was submitted with planning application 15/01575/FUL and since then the site has been cleared and therefore there is no requirement for the applicant to provide a phase one habitat survey. A bat survey was also undertaken under planning application 15/01575/FUL which identified the potential of bats, however as the building no longer exists, there is no longer a need to impose a condition to mitigate against the development. In terms of reptiles, a condition will be imposed to ensure that the development is carried out in accordance with the reptile survey as mentioned within planning application 15/01575/FUL.

Other considerations

Ramsey Parish Council have not commented on this application.

No letters of representation have been received for this application

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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. P-050, Drawing No. P-051, Drawing No. P-052, Drawing No. P-053 and Drawing No. P-054

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

- 3 No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for 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 - To enhance the aesthetics of the developments.

- 4 No development shall take place until precise details of the provision, siting, design and materials of screen walls and fences have been submitted to and approved in writing by the Local Planning Authority. The approved screen walls and fences shall be erected prior to the dwellings to which they relate being first occupied and thereafter be retained in the approved form.

Reason - In the interests of visual amenity.

- 5 Notwithstanding the submitted Reptile Survey of The Former Ramsey School Site, Wix Road, Ramsey, Harwich, Essex produced by Arbtech, before any development is commenced, full details of measures to mitigate against the impact of the hereby permitted development on protected species within the site, including a method statement for site clearance (including precise details of timing), shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved unless the Local Planning Authority first gives written approval to any variation.

Reason - To safeguard those protected species using the site.

- 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 shown in Drawing Numbered BN235-P051. 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 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

- 8 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

- 9 No development shall take place until details or samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out solely in accordance with the approved details.

Reason - Insufficient details have been submitted in this regard.

- 10 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 the effective implementation of the approved landscaping scheme.

- 11 The existing access or any part of an access rendered redundant or unnecessary by this development shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the re-instatement to full height of the footway/kerbing to the specifications of the Highway Authority, immediately the proposed new accesses are brought into use.

Reason - To ensure the removal of and to preclude the creation of un-necessary points of traffic conflict in the highway and to prevent indiscriminate access and parking on the highway, in the interests of highway safety.

- 12 No unbound materials shall be used in the surface treatment of the proposed vehicular accesses within 6m of the highway boundary or proposed highway boundary.

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

- 13 The gradient of the proposed vehicular accesses/garage drives/hardstandings shall be not steeper than 4% (1 in 25) for at least the first 6m from the highway boundary and not steeper than 8% (1 in 12.5) thereafter.

Reason - To ensure that vehicles using the access both enter and leave the highway in a controlled manner, in the interests of highway safety.

- 14 All new driveways and parking areas shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of each dwelling.

Reason - In the interests of sustainable development and to ensure that run-off water is avoided to minimise the risk of surface water flooding.

- 15 No development shall take place until an ecological management scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme, which shall include a timetable for its implementation, shall include details of a bat sensitive lighting scheme and the measures to enhance the suitability of the site for bat foraging/commuting through the installation of habitats such as bat boxes, bird boxes, refugia and log and brush piles. The development shall be carried out and maintained at all times in accordance with the approved scheme.

Reason - To preserve and enhance the biodiversity of the site.

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.

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

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