

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	14/09/2018
Planning Development Manager authorisation:	AN	17/9/18
Admin checks / despatch completed	SB	19/09/18

**Application:** 18/01176/FUL **Town / Parish:** Alresford Parish Council

**Applicant:** Gro Living Ltd

**Address:** Land adjacent Brewers Lodge Colchester Main Road Alresford

**Development:** Proposed erection of 2 detached bungalows with associated parking facilities.

### **1. Town / Parish Council**

Alresford Parish Council do not object to the application but express concern for the general access on and off of the road as it is at a very busy junction.

### **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 dwelling, the proposed vehicular access connection from Brewers Lodge shall be constructed to a width of 4.8m and shall be provided as a continuation of the existing vehicular access to Brewers Lodge as shown in Drawing Numbered 1829/1 (Topographical survey / site layout).  
Reason: To ensure that all vehicles using the private drive access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2 Prior to commencement of the proposed development, a vehicular turning facility for motor cars of a design which shall be approved in writing by the Local Planning Authority, shall be provided within the site and shall be maintained free from obstruction in perpetuity.  
Reason: To ensure that vehicles using the site access may enter and leave the highway in a forward gear, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.  
\*\* (Minor amendment required to Right hand plot to mirror the turning for left hand plot)

3 All off street car parking shall be in precise accord with the details contained within the current Parking Standards.  
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 Prior to commencement of the proposed development, details of the provision for the storage of bicycles, 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 and shall be maintained free from obstruction at all times for that sole purpose in perpetuity.

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.

5 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: There shall be no direct vehicular connection to Colchester Main Road save that made from the existing access at Brewers Lodge.

Informative2: 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.

Tree & Landscape Officer

The main body of the application site is supporting rank and ruderal vegetation that is of no significance. There are established trees on the south eastern boundary comprising Oak and Ash and a very large Oak situated on, or close to, the north easternmost boundary of the application site. None of these trees are affected by the development proposal.

On the part of the application site to the front of the existing dwelling - Brewers Lodge ' there is established shrub planting containing two early mature trees; a Sycamore and a Goat Willow. Both trees are shown as retained and their retention is not compromised by the development proposal

In order to enhance the appearance of the development and to provide screening between the new dwellings and the highway the applicant has shown new planting on the boundary with the highway. The planting shows a new hedge and new tree planting. The level of planting shown is sufficient to screen and enhance the appearance of the development.

If planning permission is likely to be granted then details of the landscaping should be secured by a planning condition. Any soft landscaping scheme should include details of the species and specification for plants incorporated in the scheme along with quantity and planting locations.

## TOPOGRAPHICAL SURVEY / SITE LAYOUT.

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 dwelling, the proposed vehicular access connection from Brewers Lodge shall be constructed to a width of 4.8m and shall be provided as a continuation of the existing vehicular access to Brewers Lodge as shown in Drawing Numbered 1829/1/Rev A (Topographical survey / site layout).

Reason: To ensure that all vehicles using the private drive access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2 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 amended Drawing Numbered 1829/1/Rev A. 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.

Continued

3 Prior to occupation of the proposed development, details of the provision for the storage of bicycles, 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 and shall be maintained free from obstruction at all times for that sole purpose in perpetuity.

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.

Informative1: There shall be no direct vehicular connection to Colchester Main Road save that made from the existing access at Brewers Lodge.

Informative2: The submitted Construction Method Statement (CMS) is acceptable to the Highway Authority and is content for this matter to be the subject of a compliance Condition.

Informative3: 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](mailto:development.management@essexhighways.org) or by post to:

SMO1 ' Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester

Tree & Landscape Officer    The information provided by the applicant showing proposed tree and hedgerow planting is sufficient to secure an adequate level of soft landscaping that will both soften and enhance the appearance of the proposed development.

### 3. **Planning History**

00/02116/FUL	Erection of two chalet style houses	Refused	23.01.2001
03/00149/FUL	Erection of treble garage.	Refused	09.04.2003
16/00285/OUT	Proposed detached dwelling.	Approved	28.04.2016
16/01168/OUT	2 no. detached dwellings.	Refused	19.09.2016
16/30307/PREAPP	Erection of 2 no. semi detached houses.		16.12.2016
17/00108/OUT	Proposed pair of semi-detached houses.	Approved	21.03.2017
18/00232/FUL	Construction of two detached dwellings.	Approved	

### 4. **Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

HG1 Housing Provision

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN1 Landscape Character

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL1 Managing Growth

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL3 The Rural Landscape

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

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 approximately 0.16 hectares in size and is situated on the eastern side of Colchester Main Road, Alresford. The site lies vacant and is adjacent to and associated with the property known as Brewers Lodge to the south. The front boundary is defined by an existing wire and post fence with the side boundaries defined by the close boarded fences belonging to the neighbouring properties with some mature trees to the rear of the site.

The site lies outside of the Alresford Settlement Development Boundary (SDB) as defined within the adopted Tendring District Local Plan 2007 with the front portion of the site being inside the SDB of the emerging Tendring District Local Plan Publication Draft 2017.

Colchester Main Road is characterised by dwellings of varying sizes, types and designs. Opposite the site is the junction of Station Road with a small parade of shops and services on the corner.

### **Proposal**

The application seeks full planning permission for the erection of 2 detached bungalows with a shared access and turning area.

### **Assessment**

The main considerations in this instance are;

- Planning History;
- Principle of development;
- Layout, Design and Appearance;
- Impact on Residential Amenities;
- Trees and Landscaping;
- Access, Parking and Highway safety;
- Other Considerations.

### **Planning History**

There have been previous refusals and approval on the site for residential development, the most relevant and recent approval being planning application 17/00108/OUT for a pair of semi-detached dwellings.

### **Principle of Development**

The site lies outside of the Settlement Development Boundary of the adopted Tendring District Local Plan 2007 but mostly within the extended Settlement Development Boundary of the emerging Tendring District Local Plan Publication Draft 2017.

The location of the site within the emerging SDB and the planning history establishes the acceptability of the development of the site for 2 dwellings in principle subject to the detailed considerations set out below.

### **Layout, Design and Appearance**

The site is essentially infilling a site between and surrounded by established residential development. The site currently appears as a side garden area associated with the Brewers Lodge

to the south east. The development of the site will appear as an infill development and will not result in a loss of open countryside or agricultural land. The character of the open fields to the rear would not be compromised by the development. The proposal would therefore physically and visually appear part of the existing built-up area and would not materially affect the character and appearance of the countryside or landscape setting.

The layout plan demonstrates how the site can satisfactorily accommodate the 2 detached bungalows. The dwellings area sited broadly in line with the existing linear development whilst providing rear private amenity space in excess of that required by saved Policy HG9, side isolation in accordance with saved Policy HG14 and parking and turning in accordance with current standards (amended plan with additional turning head). The area is characterised by a mix of residential styles including bungalows. The individual design of the dwellings include projecting brick plinths, a combination of facing brick and cladding and concrete roof tiles. The development would not appear out of keeping or harmful within the street scene.

#### Impact on Neighbours Amenities

The National Planning Policy Framework 2018 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. Policy SPL3 of the Draft Plan carries forward the sentiments of these saved policies.

The proposed dwellings are single storey in scale with fully hipped roof designs. This together with the distance retained to the neighbouring boundaries and dwellings ensures that the development would not detract from the amenities of the occupiers of neighbouring properties or the future occupiers of the proposed dwellings.

#### Trees and Landscaping

To facilitate the access to the development a small group of trees need to be removed.

The Council's Principle Tree and Landscaping Officer has been consulted on the application and raises no objection to their loss. The trees do not have such visual amenity value that they justify formal legal protection by means of a Tree Preservation Order.

The amended information provided by the applicant showing proposed tree and hedgerow planting is sufficient to secure an adequate level of soft landscaping that will both soften and enhance the appearance of the proposed development.

#### Highway Issues

Policy QL10 of the Saved Plan states that planning permission will only be granted, if amongst other things, access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate.

The site is to be accessed by extending the existing access from Brewers Lodge along Colchester Main Road and is for 2 dwellings only. It is therefore considered that the increase in traffic can be accommodated on the local road network, without any significant adverse impact.

Each dwelling is served by sufficient turning and parking that accords with current standards.

The Highway Authority raise no objection to the application subject to conditions which will be imposed where necessary.

#### Other Considerations

Alresford Parish Council do not object to the application but raise concerns over highway safety.

1 letter of objection has been received also raising concerns over the level of traffic and highway safety.

The development is for 2 dwellings only and the access is not sited directly adjacent to the junction at Station Road. The Highway Authority raise no objection to the development. There are no justified reasons to refusal the application on highway grounds.

#### Conclusion

In the absence of any material harm resulting from the development, the application is 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: DWG. NO. 1829/1 Rev. A, DRAWING NUMBER: 1829/3 and DRAWING NUMBER: 1829/2 together with the associated Materials Schedule.

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

- 3 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shown on DWG. NO. 1829/10 received 10th September 2018 and the accompanying Landscaping Specification 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.

- 4 Prior to the first occupation of the proposed dwelling, the proposed vehicular access connection from Brewers Lodge shall be constructed to a width of 4.8m and shall be provided as a continuation of the existing vehicular access to Brewers Lodge as shown on DWG. NO. 1829/1 Rev. A.

Reason - To ensure that all vehicles using the private drive access do so in a controlled manner, in the interests of highway safety.

- 5 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 amended drawing DWG. NO. 1829/1 Rev. A. 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.

- 6 The development shall be carried out in strict accordance with the Construction Method Statement and accompanying plan DWG. NO. 1829/11 received on 10th September 2018.



Reason - To ensure that on-street parking of construction vehicles in the adjoining streets does not occur, in the interests of highway safety.

- 7 All new hardstanding 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 site.

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

- 8 No construction works or deliveries in connection with the development shall take place outside the hours of 0730 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.

## **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. There shall be no direct vehicular connection to Colchester Main Road save that made from the existing access at Brewers Lodge.
2. The submitted Construction Method Statement (CMS) is acceptable to the Highway Authority and is content for this matter to be the subject of a compliance Condition.
3. 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](mailto:development.management@essexhighways.org) or by post to:

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