

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	4/10/18
Planning Development Manager authorisation:	SCE	04-10-18
Admin checks / despatch completed	KNE SB	05/10/18

**Application:** 18/01269/DETAIL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr D Napolitano

**Address:** Land rear of 31 Frinton Road Holland On Sea

**Development:** Reserved matters application following planning approval 17/01860/OUT - erection of detached 2 bed bungalow with associated parking.

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

Clacton is non parished

### **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 first occupation of the proposed development, the proposed vehicular access shall be constructed at right angles to the highway boundary and to a width of 3.7 metres 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 vehicles using the site 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 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 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.

4 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.

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

SMO1 - Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester  
CO4 9YQ

### **3. Planning History**

17/01860/OUT	Erection of a detached 2 bed bungalow with associated parking.	Approved	22.12.2017
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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

HG3 Residential Development Within Defined Settlements

HG9 Private Amenity Space

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

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 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 on the north eastern side of Frinton Road and is located within the defined settlement boundary of Clacton on Sea. The road is characterised by detached bungalows which differ in style and age. To the south west of the site is a two storey property which comprises of two offices with a flat which fronts onto Frinton Road.

The site did comprise of a row of garages and an outbuilding to the corner of the site, however the site has now been cleared.

### Proposal

This application seeks permission of the reserved matters of outline planning permission 17/01860/OUT, these being; access, appearance, landscaping, layout and scale.

The application proposes a detached two bedroom bungalow.

### Appraisal

As stated above the principle of siting the detached bungalows on the site was previously agreed at outline stage. Therefore the main considerations are;

- Design/Scale
- Residential Amenities
- Landscaping
- Highways

### Design/Scale

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The site is in a section of the road that is characterised by detached properties. The proposal is for a detached bungalow which is considered to be in keeping with the character of the area as it will be in line with the other properties in the street scene and will not appear overly prominent. Plot width is roughly the same as that enjoyed by other comparable properties in the immediate area and it is considered that the site will accommodate a detached bungalow satisfactorily that would sit comfortably in its surroundings, without appearing cramped. In terms of the design of the proposal, it has a pyramid shaped roof with gable elements. There is a proposed canopy above the front door and a single storey gable projection to the front elevation. It is considered that the design of the bungalow is in keeping with the character of the area.

The materials proposed; Warnham red stock brick, Mendip double pantile - old England dark red, pearl grey James Hardie hardieplank, Quartzitic Sandstone natural paving and Brindle driveline prioria. Frinton Road comprises of a mixture of materials; pebbledash, render, brick and a mix of roofing materials including pantiles. It is therefore considered that the proposed materials are considered to be acceptable for the character of the area.

The application proposes the erection of a 1.2 metre high brick wall and 1.8 metre high close boarded fencing to the front of the proposed dwelling. The brick wall will be visible to Frinton Road and as there are other examples of brick wall frontages along the street scene the proposal is considered to be in keeping with the character of the area. The 1.8 metre fence will be set back from the highway by approximately 5.6 metres and due to there already being fencing denoting the boundary of number 31 and the proposed dwelling, it is considered that the proposal is acceptable in terms of appearance.

Policy HG9 of the Saved Tendring Local Plan 2007 states that private amenity space for a dwelling of two bedrooms or more should be a minimum of 75 square metres. The submitted plans show that this will comfortably be achieved for both the proposed and the existing dwelling. Therefore, it is considered that the siting and design of the proposed dwelling is acceptable within this location.

With regard to parking provision it is considered that sufficient space would be available within the plot to accommodate levels of parking that would be compliant with the Council's standards.

Based on the above it is considered that development of the land for a detached bungalow is considered to be an acceptable form of development for the site, having regard to the character of this section of the street and the standards and guidance applied by the Local Planning Authority in relation to amenity-space and parking.

#### Residential Amenities

The NPPF, at paragraph 17 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'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

It is considered that sufficient spacing between properties could be achieved resulting in limited impacts on the amenities of neighbours. The fact the property is a bungalow will further reduce the impact upon neighbouring dwellings. The south facing aspect also reduces the potential for loss of light to neighbour's gardens to the west. The existing 1.8 metre fence will help to screen the private amenity space of the proposed dwelling and it is therefore considered that the proposal will not cause any significant impact upon residential amenities.

#### Landscaping

The tree and landscaping officer has been consulted on this application and stated that the site does not contain any trees or other significant vegetation other than a mature New Zealand Flax which does not merit any protection by a tree preservation order. The soft landscaping provided is sufficient to secure adequate planting to soften the appearance of the development.

#### Highways

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

- Proposed vehicular access constructed at right angles to the boundary
- Unbound materials
- Size of parking spaces
- Provision of bicycle storage

Adopted Car Parking Standards state that for a dwelling of two or more bedrooms, provision should be made for a minimum of two parking spaces measuring 5.5m x 2.9m or a garage, if being used as one of the parking space, should have a minimum internal measurement of 7m x 3m. The plans demonstrate one parking space for the proposed bungalow and an area to fit two parking spaces for number 31 Frinton Road which is slightly short of the requirement. However, given the sites sustainable location within good walking distance to key facilities, on balance the harm is not significant.

#### Other Considerations

Clacton is non parished.

No letters of representation have been received.

#### 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 carried out in accordance with the following approved plans: Drawing No. 1845-02.

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

- 2 Notwithstanding the approved plans, prior to first occupation of the proposed development, the proposed vehicular access shall be constructed at right angles to the highway boundary and to a width of 3.7 metres 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 vehicles using the site access do so in a controlled manner, in the interests of highway safety

- 3 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

- 4 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 shall be submitted to and 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

- 5 The external facing and roof materials will match those stated within the planning application form dated 31st July 2018 and in accordance with the Material Specification - Bricks dated 31st July 2018, Material Specification - Driveway dated 31st July 2018, Material Specification - Paving dated 31st July 2018 and Material Specification - Tiles dated 31st July 2018.

Reason - The application site is publicly visible and therefore suitable materials are required in order to maintain the character of the area.

- 6 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.

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

SMO1 - Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester  
CO4 9YQ

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