

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	08/10/2018
Planning Development Manager authorisation:	SCE	09.10.18
Admin checks / despatch completed	ER	11/10/18 <i>aw</i>

**Application:** 18/01467/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mrs Jennifer Oakley

**Address:** 117 Golf Green Road Jaywick Clacton On Sea

**Development:** Stepped access to house.

### 1. Town / Parish Council

Clacton is non parished

### 2. Consultation Responses

ECC Highways Dept

The Highway Authority does not object to the proposals as submitted. 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

18/01467/FUL      Stepped access to house.      Current

### 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
- QL3 Minimising and Managing Flood Risk
- TR7 Vehicle Parking at New Development
- TR1A Development Affecting Highways

### **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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 (including Site Description and Proposal)**

### **Application Site**

The application site comprises of a east facing detached dwelling known as "117 Golf Green Road." The dwelling has been finished in render with a brick wall and metal gate positioned along its front boundary. There is an existing area of hardstanding sited to the front and north of the dwelling.

### **Proposal**

This application seeks permission for the provision of an improved stepped access to the property with associated hand railing.

### **Assessment**

#### **Design and Appearance**

The proposal is a minor addition to allow an improved access to and from the property.

The proposed stepped access will be set back from the front of the site and from the highway which will reduce its prominence and will prevent the new steps from having a harmful impact to the appearance and character of the existing dwelling and area.

A selection of properties already benefit from access ramps or stepped accesses some with hand rails and therefore this proposal is consistent with the area.

#### **Impact on Neighbours**

The proposal is a minor alteration to the property which would not result in a loss of residential amenities to the neighbouring properties.

#### Flood Risk

The proposal is of a minor nature and would not result in an impact to flood risk.

#### Highway Safety

The existing hard surfaced area sited to front is presumably used for parking however only just meets the required size of 5.5m by 2.9m stated within the Essex County Council Parking Standards. This proposal will infringe upon this area. As the proposal is to assist in access to the property for a disabled user it is considered that the need for the proposal outweighs the provision for parking in this instance and therefore the loss of parking would be unreasonable to refuse planning permission on highways grounds.

Essex County Council Highways have objected and raise no objection to the proposal.

#### Other Considerations

Clacton is non parished and therefore no comments are required.  
No letters of representation have been received.

#### Conclusion

In the absence of material harm resulting from the proposed 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: Proposed Floor Plan 1:50 and Proposed elevations 1:100.

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

### **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.

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