

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	18/10/2018
Planning Development Manager authorisation:	<i>GLG</i>	18/10/2018
Admin checks / despatch completed	<i>Wine</i> <i>SB</i>	19/10/18. 19/10/18.

Application: 18/00818/FUL **Town / Parish:** Harwich Town Council

Applicant: Mr & Mrs Batchelor

Address: Land Site of Former 2 Hill Road Dovercourt

Development: Erection of two semi-detached three/four bedroom houses with integrated garages.

1. Town / Parish Council

Harwich Town Council has no objection to this application.

2. Consultation Responses

ECC Highways Dept TEN. Hill Road Dovercourt.18.00818.FUL.rec.doc

Tree & Landscape Officer There are no trees or other significant vegetation on the application site.

The block plan shows a good level of new planting for a small site that will help to enhance the appearance of the development site and the public realm.

The soft landscaping detail is such that no additional information relating to plant species or specification is required

Tree & Landscape Officer No additional comments regarding soft landscaping ' the details provided are adequate and sufficient to secure a reasonable level of new planting.

3. Planning History

10/00575/FUL	Erection of two-storey building incorporating four two-bedroom apartments and alterations to existing vehicular access.	Approved	19.07.2010
10/01062/FUL	Revision to approval 10/00575/FUL to form 5 apartments.	Approved	
11/01364/FUL	Erection of two semi-detached houses.	Approved	09.02.2012
15/01118/FUL	Erection of two semi-detached houses.	Approved	28.09.2015

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
- HG6 Dwelling Size and Type
- HG9 Private Amenity Space
- HG14 Side Isolation
- 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
- LP2 Housing Choice
- 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 relates to the land of former 2 Hill Road, Dovercourt. The site lies within the settlement development boundary for Dovercourt as defined within both the adopted and emerging Tendring District Local Plan. The site is located in close proximity to the High Street within the Town Centre Boundary. The site previously accommodated a modest detached bungalow but now lies vacant and has done for a number of years. Surrounding residential development is two storeys in height on this side of Hill Road and three storeys in height opposite. To the south lies commercial development on the ground floor fronting the high street with residential development above.

Description of Proposal

The application seeks full planning permission for the erection of a pair of semi-detached houses.

Assessment

The main considerations are;

- Planning History;
- Principle of Development;
- Design and Appearance;
- Residential Amenities;
- Access and Parking;
- Representations.

Planning History

The most recent and relevant planning history that relates to the site are applications 11/01364/FUL and 15/01118/FUL. Application 11/01364/FUL was approved on 9th February 2012 and then amended by 15/01118/FUL approved on 28th September 2015.

Application 15/01118/FUL was subject to the standard time limit for implementation condition and therefore expired on 28th September 2018.

Principle of Development

The site lies within the defined settlement development of Dovercourt where the principle of residential development is accepted subject to the detailed considerations as set out below.

The planning history also establishes the acceptability of a pair of semi-detached dwellings on this site.

After failed attempts to secure a new design, this application simply renews a previous permission which has now expired with a minor variation to the design.

Design and Appearance

The proposed dwellings mimic the design and appearance of the neighbouring properties incorporating full height bay windows and a half brick, half rendered finish. The traditional appearance of the dwellings, spacious side boundaries and low level planting to the frontages will result in a development that blends well with its surroundings resulting in no harm to the street scene or character of the area.

Residential Amenities

The neighbour to the north has a blank facing elevation. The boundary treatment to this shared boundary is low level picket fence and intermittent planting. However, due to the degree of separation and the presence of the neighbour's rear extension and detached garage, the proposed development would not cause unacceptable overshadowing or light deprivation to the rear garden area.

Due to the siting of the proposed building and its fenestration layout with only bathroom windows on the side elevations and living room windows to the front there would be no significant loss of amenity in terms of overlooking.

The neighbouring dwellings to the south are located above the ground floor commercial units and have windows and balconies facing the site. Given the height of these properties, their siting, and the distance separating the two buildings there would be no significant loss of amenity to existing or future neighbours.

The private amenity areas serving the new dwellings comply with policy standards.

Access and Parking

The development provides suitable access, turning and parking in accordance with adopted standards. Essex County Council Highway Authority raise no objection subject to conditions which will be imposed where necessary.

Representations

Harwich Town Council has no objection to this application.

No other letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the revised 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 (including materials details): Proposed Site Layout MOD C, Proposed Floor Plans MOD D and Proposed Elevations (labelled incorrectly as Proposed Floor Plans) MOD D.

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

- 3 Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), other than those boundary treatments shown on the approved plans, no provision of fences, walls, gates or other means of enclosure, shall be erected forward of the front elevation of the dwellings hereby approved.

Reason - In the interests of visual amenity to retain a spacious appearance.

- 4 Prior to first occupation of the proposed development, each of the proposed vehicular accesses shall be constructed at right angles to the highway boundary and to a width of 3.0 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.

- 5 The existing access or any part of an access (dropped kerb) 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 highway verge/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.

- 6 The development shall not be occupied until such time as the car parking area, indicated on the approved plans, has been hard surfaced and sealed. 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 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 the building.

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 The screen walls and fences, as shown on approved drawing Proposed Site Layout MOD C, shall be erected prior to occupation of the hereby approved dwellings and thereafter be retained in the approved form.

Reason - In the interests of visual and residential amenity.

- 9 The approved scheme of landscaping shown on approved drawing Proposed Site Layout MOD C, shall be implemented not later than the first planting season following

commencement of the development (or within such extended period or phased arrangement as the Local Planning Authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason - To ensure the effective implementation of the approved landscaping scheme, in the interests of visual amenity.

- 10 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.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways Informative

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:

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