

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	18/10/2018
Planning Development Manager authorisation:	AN	18/10/18
Admin checks / despatch completed	xal SB	19/10/18 19/10/18

**Application:** 18/01019/FUL

**Town / Parish:** Harwich Town Council

**Applicant:** Mrs Joan Tye

**Address:** 26 Pound Farm Drive Dovercourt Harwich

**Development:** Proposed new two storey end of terrace house adjacent to 26 Pound Farm Drive.

### 1. Town / Parish Council

Harwich Town Council

Harwich Town Council has no objection to this application.

### 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 southern single 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 Prior to first occupation of the proposed development, the proposed northern vehicular accesses shall be constructed at right angles to the highway boundary and to a width of 6.0 metres and shall be a continuous extension of the existing vehicular access to No. 34 Pound Farm Drive constructed at right angles to the highway boundary and 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.

3 No unbound materials shall be used in the surface treatment of the proposed vehicular accesses 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.

4 Each of the parking spaces / vehicular hardstandings shall be constructed to minimum dimensions of 5.5m x 3.4m 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.

5 Prior to the occupation of the proposed development, details of the provision for the storage of bicycles 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.

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

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

### **3. Planning History**

18/01019/FUL

Proposed new two storey end of terrace house adjacent to 26 Pound Farm Drive. Current

#### **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

HG3 Residential Development Within Defined Settlements

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)

SPL1 Managing Growth

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 deliver 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 the plan-led approach.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Site Description

The application site is located to the north east of Pound Farm Drive. The application site serves a two storey terraced property which is angled 90 degrees to the road, with the front elevation facing south east and the side elevation facing north west onto the road. The dwelling is constructed from pebbledash render and a brick plinth, with a 1 metre fence denoting the boundary to the southern elevation and landscaping denoting the boundary to the west of the site. To the south of Pound Farm Drive is Spring Meadow Primary School.

### Proposal

The application seeks planning permission for the erection of a two storey end of terraced house adjacent to number 26 Pound Farm Drive. The proposed dwelling will measure 5.8 metres in width, 7.2 metres in depth with an overall height of 7.8 metres.

### Assessment

The main considerations for this application are the principle of development, design and appearance, impact upon neighbouring amenities and Parking Provision.

### Principle of Development

The site is located within the Settlement Development Boundary of Harwich as defined within both the adopted and emerging Tendring District Local Plans. Policy HG3 of the Tendring District Local Plan 2007 states that within defined development boundaries of towns and villages, residential development will be permitted provided it satisfies amenity, design, density, environmental, highway, local housing needs and sustainability criteria, as appropriate, and can take place without

material harm to the character of the local area. The principle for residential development is therefore accepted subject to the detailed consideration below.

### Design and Appearance

The National Planning Policy Framework ("the Framework") attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Paragraph 130 of the Framework states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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. "Emerging" Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies stating that all new development must make a positive contribution to the quality of the local environment and protect or enhance local character.

Due to the siting of the proposal on corner plot, the dwelling will be visible from the street scene of Pound Farm Drive and it will impact upon the character of the surrounding area. The existing street scene is well defined, is linear and with a fixed building line. The properties to the rear of the site maintain a distance of 4.4 metres from Pound Farm Drive. This set back is replicated on the other side of the road and along Pound Farm Drive and forms part of the area. The proposed dwelling is situated 1 metre away from the application sites boundary with Pound Farm Drive. This creates a cramped appearance that appears wholly out of character in terms of its siting to the serious detriment of the immediate street scene and character of the area overall.

The materials proposed; brown interlocking concrete roof tiles, red brick plinth painted cream, stone dashed rendering, white upvc windows and doors will match the materials of the dwellings in the immediate area. It is therefore considered that the materials are in keeping with the character of the area and acceptable in terms of design.

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 proposal is acceptable in terms of private amenity space.

### Impact upon Neighbouring amenities

The proposal will be visible to the neighbouring dwelling to the north east number 26, however due to the proposal maintaining the development line with no protruding additions to the front of rear, the proposal is not considered to cause any loss of light or overlooking onto the neighbouring amenities.

The proposal is situated on a corner plot and therefore there isn't an immediate neighbour to the south west. However, views of the proposal will be possible from number 37 Pound Drive Farm. The proposal comprises of a side elevation window serving the landing which may cause some overlooking however due to the proposal having views of the frontages of the neighbouring properties as well as the approximate distance of 10 metres to the neighbouring boundary, it is considered that the proposal will not cause any significant loss of privacy.

The proposal will be visible to number 34 Pound Farm Drive however due to the approximate distance of 16.5 metres to the rear of the proposed dwelling, and the roof being pitched away from the neighbouring dwelling, it is considered that the proposal will not cause any significant impact upon neighbouring amenities.

### Parking Provision

Essex County Highways have been consulted on this application and do not raise any objections subject to the following conditions:

- Southern vehicular access shall be constructed at right angles to the highway boundary and to a width of 3.7 metres.
- Northern vehicular access shall be constructed at right angles to the highway boundary and to a width of 6.0 metres and shall be a continuous extension of the existing vehicular access to No. 34 Pound Farm Drive constructed at right angles to the highway boundary
- No unbound materials
- Provision of cycle storage
- Construction Method Statement

The plans demonstrate that both number 26 Pound Farm Drive and the proposed dwelling can accommodate two parking spaces measuring 5.5 metre by 2.9 metres and therefore the proposal is acceptable in terms of highway safety.

Other considerations

Harwich Town Council have no objection to the application

No letters of representation have been received.

Conclusion

The proposed development would constitute a cramped form of development that appears wholly out of character in terms of its siting to the serious detriment of the immediate street scene and character of the area overall. The application is therefore recommended for refusal.

## **6. Recommendation**

Refusal - Full

## **7. Conditions / Reasons for Refusal**

The National Planning Policy Framework ("the Framework") attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Paragraph 130 of the Framework states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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. "Emerging" Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies stating that all new development must make a positive contribution to the quality of the local environment and protect or enhance local character.

Due to the siting of the proposal on a corner plot, the dwelling will be visible from the street scene of Pound Farm Drive from the north and west. The existing street scene is well defined, is linear and with a fixed building line. The properties to the rear of the site maintain a distance of 4.4 metres from Pound Farm Drive. This set back is replicated on the other side of the road and along Pound Farm Drive and forms part of the character of the area. The proposed dwelling is situated 1 metre away from the application sites western boundary with Pound Farm Drive. This creates a cramped appearance that appears wholly out of character in terms of its siting to the serious detriment of the immediate street scene and character of the area overall.

The proposal is therefore contrary to the aims of the afore-mentioned national and local policies.

**8. Informatives**

**Positive and Proactive Statement**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

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