

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	26/10/2018
Planning Development Manager authorisation:	SCE	26.10.18
Admin checks / despatch completed	SCE SB	26/10/18

Application: 18/01262/FUL

Town / Parish: Great Oakley Parish Council

Applicant: Martin Gunton - Oakley Carpentry

Address: The Bungalow School Road Great Oakley

Development: Proposal to demolish fire damaged bungalow & construct 2 detached dwellings.

1. Town / Parish Council

Great Oakley Parish Council No objections.

2. Consultation Responses

ECC Highways Dept
ORIGINAL COMMENTS

The Highway Authority raises an objection to the above application for the following reasons:

As far as can be determined from the submitted plans the proposal would lead to intensification of use of the site without adequate turning facilities. The proposal would therefore give rise to vehicles reversing into the highway to the detriment of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

As far as can be determined from the submitted plans the proposed parking facilities fail to provide sufficient space between parking spaces and boundary treatments to enable efficient and convenient ingress and egress manoeuvres which is likely to lead to vehicles being left parked in the adjacent highway causing conditions of danger, obstruction or congestion contrary to highway safety and Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

ECC Highways Dept
AMENDED COMMENTS

AMENDED DRAWINGS AND CONSTRUCTION METHOD STATEMENT DATED 16 OCTOBER 2018

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 dwellings, the proposed vehicular access shall be constructed to a width of 5.5m 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 all vehicles using the private drive access do so in a controlled manner and to ensure that opposing vehicles may pass clear of the limits of 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.

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 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 unnecessary points of traffic conflict in the highway and to prevent indiscriminate access and parking on 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 All off street car parking shall be in precise accord with the details contained within the current Parking Standards being provided within the site which shall be maintained free from obstruction and retained 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.

5 Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants of that development, 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: The proposed turning facilities for both dwellings are totally reliant upon an open boundary being maintained between the dwellings.

Informative2: The Highway Authority observes that a Construction Method Statement and accompanying plan has been provided; the Highway Authority is content that this is 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 or by post to:

SMO1 – Essex Highways

Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

Tree & Landscape Officer

The site plan shows 2 trees on the front boundary of the application site however T1 -Oak has been felled.

T2, also an Oak remains and is situated on the boundary with the adjacent recreation ground. As the existing vehicular access is situated directly adjacent to the main stem of the tree the proposed new tarmac crossing will be unlikely to have a significant adverse impact on the health or long term viability of the tree.

In terms of soft landscaping there appears to be sufficient space to provide a replacement tree for the felled Oak. Additionally the Block plan shows a new Laurel hedge to be planted on the boundary between the properties; this species of hedge should also be planted along the front boundary of both properties between the tarmac crossings.

3. Planning History

99/01110/FUL	Side extension	Approved	07.09.1999
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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

HG6 Dwelling Size and Type

HG7 Residential Densities

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

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 Bungalow' located on the southern side of School Road within the parish and settlement development boundary of Great Oakley. The site currently contains a derelict, fire damaged bungalow. The site has been partly cleared. The site is located adjacent to

the Great Oakley Recreation Ground with an informal pedestrian access to the western side of the application site. The application site is open to its frontage and enclosed by close boarded fencing along its side and rear boundaries with dense mature trees and vegetation along its south-western boundary adjacent to the playing field.

The immediate locality is characterised by detached and semi-detached 2 storey dwellings with some examples of bungalows to the east of the site.

There are 2 existing dropped kerb accesses off School Road but the accesses are grassed over with no hardsurfacing or formal laid driveways.

Description of Proposal

The application seeks full planning permission for the demolition of the existing bungalow and its replacement with 2 no, 5 bedroom detached dwellings with integral garages and parking and turning to the front.

The existing accesses will be closed off with the new dwellings to be served by one central access.

The site area extended the plot and encompasses an area to the side of the neighbouring property known as Moat Villa to allow the development of the site for 2 dwellings.

Assessment

The main considerations are;

- Principle of Development;
- Design and Appearance;
- Residential Amenities;
- Access, Turning and Parking; and,
- Representations.

Principle of Development

The application site lies within the Great Oakley Settlement Development Boundary as defined within both the saved and emerging Tendring District Local Plans.

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.

Design and Appearance

The existing bungalow is wide and almost fills the width of its plot. The immediate locality of the application site is characterised by 2 storey dwellings mostly semi-detached. The immediate neighbour Moat Villa is detached. For these reasons, the redevelopment of the site for 2 detached dwellings is not considered out of character or excessive. The site relates closest to Moat Villa and the dwellings will be of a similar height and scale. The siting of the dwellings retains a good set back from the highway with landscaped areas including new tree planting softening and enhancing the development. The spacing to the site boundaries either meet or exceed the requirements of Saved Policy HG14 of the adopted Tendring District Local Plan 2007. The dwellings comprise of a staggered front elevation and set-down side element resulting in a broken up and spacious street scene appearance.

The proposed dwellings are of the same design but handed and incorporate a mix of traditional materials including brick, render and weatherboarding providing variation and interest in the street scene whilst being in keeping with exiting external materials in the locality.

Existing dense, mature planting along the boundary with the adjacent playing field and along its frontage means that the development would be almost fully screened on the approach from the south-west. From the north-east, Moat Villa itself will screen the development being sited marginally further forward than the proposed dwellings.

Overall, the scale, design and impact of the proposed dwellings is considered acceptable. The development will sit comfortably within its setting and not result in any material harm to the character of the area.

Residential Amenities

Great Oakley Recreation Ground bounds the site to its south. The only immediate neighbours are the surrounding 2 storey dwellings, numbers 24 and 26 Orchard Close to the rear and Moat Villa to its north-east. The proposed dwellings retain a back to back distance with the properties in Orchard Close of just over 26 metres. The proposal does result in the introduction of first floor rear facing windows replacing a single storey dwelling. However, these windows serve bedrooms only and not main living areas. Time spent here will be limited and the back to back distances ensure no significant or harmful overlooking. Their angled site boundaries and the juxtaposition of the dwellings results in a satisfactory relationship that will not result in any harm to outlook, sunlight or daylight.

Moat Villa occupies a spacious plot being set in from the shared boundary with the application site by over 4 metres. The application site encompasses some of this side garden area to allow for the redevelopment of the site but retains a distance between the dwellings of just under 4 metres both meeting the aims and objectives of Saved Policy HG14 of the adopted Tendring District Local Plan. There are no side facing windows within Moat Villa. The proposed dwelling directly adjacent to occupy Plot 1 has a single ground floor side facing window serving the kitchen and a single 1st floor side facing window serving a bathroom. Only obliquely angled views toward to the rear of the garden serving Moat Villa will be possible from the first floor rear facing bedroom windows within the proposed dwellings. For these reasons, no harmful overlooking or loss of privacy will result. The height and siting of Plot 1 will result in some impact upon the immediate rear garden area of Moat Villa but due to the southerly facing orientation of the gardens this cannot be considered materially harmful with only some loss of late afternoon/evening sunlight.

Each dwelling is served by a private amenity space in excess of the minimum 100 square metres required by Saved Policy HG9. The dwellings provide sufficient side isolation and a good set back from the highway therefore appearing spacious within their plots.

Overall, the proposed development results in an acceptable standard of amenity for existing and future occupants.

Access, Turning and Parking

The application has been amended and now satisfies highway safety, turning and parking by incorporating a single, shared central access closing off the existing.

The site frontages allows for access, turning and parking for one vehicle per dwelling with the second parking space being achieved by the provision of an integral garage. The garage and parking areas are of a dimension that accord with current standards.

The development therefore meets the requirements of the adopted parking standards and highway safety.

Essex County Council Highway Authority raise no objections subject to conditions which will be imposed where necessary.

Representations

Great Oakley Parish Council raise no objection to the development.

No individual 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

- 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 and materials details: Drawing No OCSR-01 Revision C and Drawing No OCSR-02 Revision C.

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 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 The removal of any vegetation for site access/site clearance shall only be carried out outside of the bird nesting season (March to August inclusive).

Reason - To ensure the protection of birds potentially nesting on site.

- 5 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 the boundary treatments shown on the approved drawings, no provision of fences, walls, gates or other means of enclosures, shall be erected on any part of the site forward of the front elevation of the dwellings hereby approved except in accordance with details that shall previously be approved in writing by the Local Planning Authority.

Reason - To retain the open aspect and character of the locality in the interests of visual amenity.

- 6 Prior to the first occupation of the proposed dwellings, the proposed vehicular access shall be constructed to a width of 5.5m 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 all vehicles using the private drive access do so in a controlled manner and to ensure that opposing vehicles may pass clear of the limits of the highway, in the interests of highway safety.

- 7 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.

- 8 The existing accesses 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.

- 9 All off street car parking shall be in precise accord with the details contained within the current Parking Standards being provided within the site which shall be maintained free from obstruction and retained thereafter.

Reason - To ensure that on-street parking of 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 Informatives

1. The proposed turning facilities for both dwellings are totally reliant upon an open boundary being maintained between the dwellings.
2. The Highway Authority observes that a Construction Method Statement and accompanying plan has been provided; the Highway Authority is content that this is 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.

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