

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	28/11/2018
Planning Development Manager authorisation:	SCE	28.11.18
Admin checks / despatch completed	ER	29/11/18

Application: 18/01497/FUL **Town / Parish:** Beaumont Parish Council *WHL*
Applicant: H Beach
Address: Taylor Cove & Danescroft Harwich Road Beaumont
Development: Proposed front wall with railings.

1. Town / Parish Council

Beaumont Parish Council No comments received.

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 or by post to:
 SMO1 - Essex Highways
 Colchester Highways Depot,
 653 The Crescent,
 Colchester
 CO4 9YQ

3. Planning History

83/01477/FUL	Erection of two det. houses and garages	Approved	24.04.1987
90/00580/FUL	Renewal of TEN/1477/83	Approved	24.08.1990
90/00581/FUL	Development of land for two det dwellings and garages (0.19 hectares)	Approved	24.08.1990
92/01107/FUL	(Land Adjacent 'Ainsworth', Harwich Road, Beaumont-Cum- Moze) Two detached dwellings with garages	Refused	17.11.1992
93/00256/FUL	(Land adjacent to Ainsworth, Harwich Road, Beaumont cum Moze) Two detached dwellings with garages	Refused	21.04.1993
94/00325/FUL	(Land adjacent to Ainsworth, Harwich Road, Beaumont cum Moze) Two detached dwellings with parking and on site turning facilities	Approved	22.06.1994
03/01397/FUL	Proposed conservatory	Approved	01.09.2003

04/00975/FUL	Proposed entrance gates to Taylor Cove and Danes Croft	Approved	03.07.2004
18/01276/FUL	Proposed new stables and change of use of agricultural land to grazing for horses.	Approved	08.11.2018
18/01497/FUL	Proposed front wall with railings.	Current	

5. 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

TR1A Development Affecting Highways

EN1 Landscape Character

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

SPL3 Sustainable Design

PPL3 The Rural Landscape

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.

6. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is located to the north of Harwich Road, inside the development boundary of Beaumont. The site relates to 2 no. residential dwellings, known as Taylor Cover and Danescroft. The dwellings share a gravel frontage/driveway and the same access point, which consists of brick pillars and iron railing gates, with mature conifer trees, over 2m in height, acting as the front boundary treatment.

Proposal

The application proposes the removal of the existing conifer hedge and the insertion of a new front boundary wall with railings. The brick wall will be 0.6m with 1.15m railings on top giving a maximum height of 1.75m. It will also include 8 no. new brick pillars, 1.5m in height. The entrance gates will be set back and remain as existing. New shrub planting will be included in front of the proposed boundary wall.

Assessment

The main considerations of this application are the design and visual amenity and the impact on the highway.

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

The National Planning Policy Framework at Paragraph 108 states that, amongst other things, decisions should take account of whether 'safe and suitable access to the site can be achieved for all users'. Policy TR1A of the Tendring District Council Local Plan 2007 states that 'proposals for development affecting highways will be considered in relation to the road hierarchy to reducing and preventing hazards and inconvenience to traffic and the effects on the transport system including the physical and environmental capacity to accommodate the traffic generated'. In addition, Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) refers to 'access to the site being practicable and the highway safety network being able to safely accommodate the additional traffic the proposal will generate'.

Design and Visual Amenity

The proposed brick wall and railings will replace an existing conifer hedge. The surrounding area consists of open boundaries or hedging, with the site looking out to open fields and countryside.

The application originally proposed a boundary wall made up predominantly of brick with a small iron railing detail at the top, and a maximum height of 2.1m. Concerns were raised over the urbanising effect that the development would have on the countryside location. Through amendments to the application the wall has been reduced in height to 1.75m and consists mostly of railings, with planting proposed in front of the railings. The access and parking arrangements at the site remain unaltered.

The development is now considered to be sympathetic to the area and the proposed planting will be maintained at a height of 600mm which will conceal the brickwork of the boundary wall and help to soften the appearance of the development.

To ensure sufficient soft landscaping is secured landscaping conditions have been imposed to the permission to ensure distinctive local character of the area is maintained. Providing these conditions are complied with the development is considered to be of an acceptable design that will not harm the visual amenity of the countryside.

Impact on the Highway

ECC Highways have commented on the application and have confirmed that the Highway Authority does not object to the proposal as submitted.

The development replaces a hedge that is much greater in height and the existing access arrangements remain unaltered. As such, the development will not alter the visibility of traffic when entering the highway, nor will it cause hazards or inconvenience to traffic. If anything, visibility and access onto the highway could be improved by the development. There is no objection to the proposals in relation to impact on highway safety.

Other Considerations

Beaumont Parish Council has not submitted any comments on this application.

No letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the application is recommended for approval.

7. Recommendation

Approval - Full

8. 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 plan: Drawing No. 4945-1B-1 received 21 November 2018.

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

- 3 Prior to the commencement of any above ground works, a scheme of soft landscaping works for the planting proposed in front of the new wall and railings shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction.

Reason - To enhance the visual impact of the proposed works and reduce the urbanising impact of development in this countryside location.

- 4 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 enhance the visual impact of the proposed works and reduce the urbanising impact of development in this countryside location.

9. 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 Applicant, 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

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

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