



94/00847/FUL	(Land at Eastdene, Roxburgh Road, Weeley) One dwelling with garage	Approved	04.10.1994
96/01564/OUT	One detached dwelling	Refused	21.01.1997
03/00375/OUT	Single dwelling house and double garage	Refused	24.04.2003
91/00843/FUL	Erection of chalet bungalow.	Approved	14.08.1991
12/01349/TPO	G1 - 01-03 Oaks, 30% crown reduction and crown clean. Raise crown to 3m. H - Holly, reduce height by 25%. Remove two leaning stems by 03 to give full view of oak tree.	Approved	04.01.2013
13/00542/OUT	Construction of 4 two storey houses.	Approved	
13/00897/OUT	Construction of 3 two storey houses.	Approved	10.10.2013
14/01810/DETAIL	Reserved matters application following outline planning approval 13/00897/OUT - Construction of two storey house on plot one.	Approved	06.02.2015
15/01001/TPO	3 No. Oaks - remove epicormic growth to 4m twice annually commencing in August 2015 and ending in August 2020. 1 No. Holly - cut back side growth by 1.5m and remove 3m from top	Approved	28.07.2015
15/01197/FUL	Variation of condition 1 of planning permission 14/01810/DETAIL to amend drawings to change approved materials and porch.	Approved	05.10.2015
16/00187/NMA	Reduce side facing ground floor window to dining room from 2.4 to 1.8m wide. Change side facing garage window to a single door and small window.	Approved	07.03.2016
16/00342/TPO	4 No. Oaks - reduce by around 30% and remove Holly as it is growing into a mature Oak. Would like to replant younger tree in a more suitable position	Refused	29.03.2016
16/01176/DETAIL	Reserved matters application following outline planning approval 13/00897/OUT - Construction of two storey house on plot three.	Approved	06.10.2016

16/01632/DETAIL	Reserved matters application following outline planning approval 13/00897/OUT - Construction of 2 storey house on plot 2.	Approved	06.01.2017
16/01980/FUL	Domestic outbuilding for plot 3.	Approved	14.02.2017
16/02011/DISCON	Discharge of conditions 2 (landscaping) and 3 (tree protection) of planning permission 16/01176/DETAIL.	Approved	09.01.2017
18/01613/FUL	Proposed dwelling - Amendment to drawings Approved Under 16/01176/DETAIL.	Current	
18/01923/DISCON	Discharge of conditions 2 (Landscaping), 3 (Parking/Turning) and 4 (Materials) of planning permission 16/01632/DETAIL.	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

HG9 Private Amenity Space

HG14 Side Isolation

EN1 Landscape Character

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

### **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 site is located on the south-western side of Roxburghe Road which is a private road located within the parish of Weeley. The site forms one of three plots on the southern side of the road with planning permission for housing. The site in question is the south-easternmost plot and construction work for a two-storey dwelling on the site has commenced.

To the south of the site is an existing dwelling of 80's construction and on the shared boundary are a group of protected trees. Construction work on the plot to the north of the site is yet to commence. To the rear of the site a workshop building has been constructed and on the rear boundary is an existing Hawthorn hedge.

### Proposal

This application proposes amendments to the detailed design of the dwelling approved under planning reference 16/01176/DETAIL. The siting, footprint and height of the dwelling remains as approved but the following changes are proposed;

- Creation of a family room at second floor;
- Insertion of a dormer window within the roof slope to the rear;
- Insertion of a single roof light to the rear and three to the north-western facing side roof slope;
- Insertion of roof lights to the roof of the lean-to present on the south-eastern facing side elevation; and
- Alteration to the roof of the front bay window.

### Appraisal

#### Principle

The principle of siting a dwelling on this plot has already been established via the previous outline permission and subsequent reserved matters application. Construction work has commenced ensuring these permissions have been implemented.

#### Design/Impact

The changes proposed would not significantly alter the external appearance of the approved dwelling. As stated above the dwelling would remain of the same mass, footprint and height as previously approved and the alterations largely relate to the insertion of roof lights and a dormer window to the rear, views of which would be limited. The changes to the roof of the front bay window are minor and merely change the roof from a hip to a mono-pitch.

Overall the changes are minor cosmetic changes and would not detract from the appearance of the property. The materials proposed are as previously approved.

#### Residential Amenities

The dormer window to the rear would serve the family room and look out over countryside to the south thereby ensuring existing/future resident's privacy levels are maintained. The roof lights to the side elevations are high level and therefore direct views upwards away from neighbour's amenity areas.

The changes therefore do not harm existing or future resident's amenity levels.

#### Highways

ECC-Highways have no objections to the proposal and confirm the following in their comments;

The information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal is located in a Private Road. The applicant has submitted a Construction Method Statement that includes details of parking for site operatives, loading and unloading of materials, storage of materials and prevention of mud and debris on the roads. The details included in this statement are acceptable to the Highway Authority.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority.

Parking provision is as previously approved and comfortably accords with the requirements of the parking standards.

### Trees/Landscaping

The Council's Tree Officer provides the following comments;

The information relating to the protection of the trees on the boundary with the adjacent property (Rosedene) is sufficient to demonstrate that the development proposal could be implemented without causing harm to the trees.

The protective fencing is closer than that shown on the previous approved application but the site history is such that the changes proposed will not significantly alter the impact of the development on the retained trees.

The landscaping scheme is as previously approved and includes tarmac/paving to the driveway with a hedge to the frontage of the site set behind low level iron fencing. To the rear the hedgerow forming the rear boundary is to be retained.

### Other Considerations

Weeley Parish Council has no comments to make upon the application. No further letters of representation have been received.

## **6. Recommendation**

Approval

## **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: GRR-BR/04, AKM/DG/001, GRR/BR/01 Revision F and GRR-BR-05.

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

- 3 The recommendations contained in the Arboricultural Impact Assessment and shown on drawing no. AKM/DG/001, relating to the extent of the Root Protection Areas and the physical protection of the tree roots, shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected.

Reason - To minimise disturbance to and help to ensure the satisfactory retention of the protected trees.

- 4 The approved scheme of landscaping shown on drawing no. GRR-BR/04, shall be implemented no 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.

5 The construction method details/layout as contained within the submitted document titled 'Construction Method Statement for Plot 3, Roxburghe Road, Weeley, Essex' shall be adhered to at all times during the construction phase.

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 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.

<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