

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	09/01/2019
Planning Development Manager authorisation:	AN	10/11/19
Admin checks / despatch completed	LNE SB	11/01/19 11/01/19

Application: 18/01901/FUL **Town / Parish:** Wrabness Parish Council

Applicant: Mr Dean Hilton

Address: Ness House Ash Street Wrabness

Development: Demolition of fire damaged dwelling and erection of a replacement dwelling (revised application following 18/00636/FUL).

1. Town / Parish Council

Wrabness Parish Council No comments.

2. Consultation Responses

ECC Highways Dept

A site visit has been undertaken and the information that was submitted in association with the application has been fully considered by the Highway Authority. The application utilises the existing vehicle access for the previous dwelling and replacement double garage for the dwelling, retaining adequate room and provision for off street parking and turning, for the proposed dwelling therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

1. Prior to occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres (3 metres minimum - 6 metres maximum) shall be retained at that width for a minimum of 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway
Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1
2. No unbound materials shall be used in the surface treatment of the proposed vehicular access within 6 metres of the highway boundary
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
3. All double garages should have a minimum internal measurement of 7m x 5.5m.
Reason: To encourage the use of garages for their intended purpose and to discourage on-street parking, in the interests of highway safety and in accordance with Policy DM8

4. There shall be no discharge of surface water from the development onto the Highway

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1.

5. Each vehicular parking space shall have minimum dimensions of 2.5 metres x 5 metres.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8.

6. The Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

7. Prior to occupation of the proposed dwelling, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10.

8. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the carriageway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative 1: Although the alignment of the existing vehicle access is not changing it would be appropriate to cut back/ reduce the height of the vegetation on the east side. To provide adequate inter-visibility between vehicles using the vehicle access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

Informative 2: Any work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

Building Control and
Access Officer

No adverse comments at this time.

3. Planning History

06/01592/FUL	Proposed rear extension and alterations.	Approved	07.11.2006
16/30109/PREAPP	Erection of attached garage and study.		07.06.2016
17/00922/FUL	Single storey side extension to replace garage.	Approved	18.08.2017
17/01524/FUL	Single storey side extension, two storey bay to rear, single storey bay to right hand side, internal alterations and new pitched roof dormers to existing roof.	Approved	08.11.2017
18/00636/FUL	Demolition of fire damaged dwelling and erection of a replacement dwelling.	Approved	14.06.2018
18/01824/NMA	Amendment to 18/00636/FUL: Alteration to window / door openings to rear elevation and provision of two dormer windows in the rear slope of the single storey element.	Application Returned	

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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

EN3 Coastal Protection Belt

EN5A Area Proposed as an Extension to the Suffolk Coasts and Heaths AONB

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

PPL2 Coastal Protection Belt

PPL3 The Rural Landscape

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.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application relates to Ness House, a large two storey detached dwelling on a generous plot on the northern side of Ash Street, Wrabness. The neighbouring dwelling to the west is over 20 metres away, and to the east over 30 metres away. To the north is open countryside leading to the Stour estuary. The site is within the Coastal Protection Belt and the proposed extension to the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty.

The property has been subject of a fire resulting in the loss of some of the property and fire damage to the remainder.

Description of Proposal

This application follows the previously approved application for a replacement dwelling under planning reference 18/00636/FUL.

This application seeks an amendment to the approved plans. The only amendment is the insertion of 2 rear facing, pitched dormer windows above the side projection of the dwelling.

Assessment

The main considerations in relation to the planning history, the principle of development, coastal protection belt impact, the impact on neighbours and parking provision were all assessed and approved under planning application 18/00636/FUL. There has been no material change in circumstance since this approval. Therefore all considerations are not required to be re-assessed.

The only matters that need to be assessed as part of this application are the design and impact on neighbouring amenities.

Design and Impact

The proposed dormers are to the rear of the dwelling and will not be publically visible or impact upon the street scene. The dormer additions themselves are of an appropriate scale and design being in proportion with the dwelling and the roof plane within which they sit.

The amended development is therefore considered acceptable in terms of visual amenity.

Impact on Neighbours

The addition of two rear facing first floor dormer windows has the potential to result in overlooking to the neighbouring dwellings. Due to the position of the dormers to the western side of the house, the main part of the dwelling screens the dormers from the neighbouring property to the east. The dormers are positioned closest to the neighbouring property to the west. However, due to the generous size of the site and neighbouring plots the separation distance between dwellings and boundary vegetation means that the dormer additions will not result in any overlooking or loss of privacy.

Representations

Wrabness Council have no comments to make.

No other representations have been received.

Conclusion

In the absence of any material harm resulting from the amended development, this 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: DWG N. DH/1, DWG N. DH/2A, DWG N. DH/3A and DWG N. DH/4

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

- 3 No above ground works shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Details shall include the colour and materials of the window headers and tile hanging to the rear bay. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of visual amenity as insufficient information has been submitted within the application for full consideration of these details.

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.