

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	28/01/2019
Planning Development Manager authorisation:	SCE	01.02.19
Admin checks / despatch completed	SB	04/02/19

Application: 18/01969/FUL **Town / Parish:** Mistley Parish Council

Applicant: Mr Volf

Address: Mistley Manor 2 Long Road Mistley

Development: Provision of additional paved area for car parking.

1. Town / Parish Council

Mr Andrew Lee Mistley Parish Council supports the planning application.

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 proposal is adjacent to some existing parking areas it is clear parking is already at a premium and cars are already parking in front of the additional areas highlighted for the new parking spaces therefore:

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

1. 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.

2. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

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

3. 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 highway 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.

Informatives:

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.

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 proposal to create additional car parking will result in the removal of an area of grass that will be paved to enable it to be used as a car park.

The development proposal will not affect the wider community and there will be no significant harm caused to the layout of the car park or surrounding landscaped areas.

3. Planning History

93/01376/FUL	(Little Manor, Long Road, Mistley) Change of use from 3 bedroom bungalow to 8 bedroom residential care home for severely disabled adults with physical and severe learning difficulties	Approved	08.03.1994
12/00100/FUL	Extension of the existing Long Furrows Care Home to create and additional 12 bedrooms together with improved living and communal areas. The construction of 15 single storey residential units to provide supported accommodation as part of the care home and the construction of a garden machine store/workshop.	Withdrawn	14.01.2013
12/00996/FUL	Proposed demolition of Little Manor care home. Construction of a new care home and the provision of 4 units for close care accommodation, construction of a garden machine store / workshop.	Approved	08.01.2013
13/00669/FUL	Variation of Condition 2 of 12/00996/FUL, to vary drawings due to additions/changes in design.	Approved	13.09.2013

14/01039/FUL	Variation of condition 1 of 13/00669/FUL to vary drawings to include the addition of a front entrance porch.	Approved	07.11.2014
18/01969/FUL	Provision of additional paved area for car parking.	Current	

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

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

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

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is Mistley Manor, 2 Long Road, Mistley, a care home located within the Settlement Development Boundary of Manningtree.

Proposal

The application seeks planning permission for the provision of additional paved area for car parking.

Assessment

The main considerations for this application are the impact upon the surrounding area and trees and landscaping, impact upon neighbouring amenities and highway safety.

Impact upon the Surrounding Area, Trees and Landscaping

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. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed extension to the car parking spaces are considered to be in-keeping with the existing character of the area, which currently comprises of various parking spaces. It is felt that because the land is well set back from the street scene and well screened with vegetation to the west, the impact as a result of this development will be minimal.

The Tree and Landscaping officer was consulted on this application and provided the following comments;

'The proposal to create additional car parking will result in the removal of an area of grass that will be paved to enable it to be used as a car park. The development proposal will not affect the wider community and there will be no significant harm caused to the layout of the car park or surrounding landscaped areas'. It is therefore considered that the proposal is acceptable in terms of trees and landscaping.

Impact upon neighbouring amenities

The proposed piece of land is enclosed by an existing fence which denotes the boundary of Mistley manor. Due to the sufficient distance to neighbouring dwellings, the proposed provision of additional paved area for car parking is not considered to cause any significant impact upon neighbouring amenities.

Highway safety

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

- Cycle parking shall be provided in accordance with the EPOA Parking Standards.
- Each vehicular parking space shall have a minimum of 2.9 metres x 5.5 metres. This condition will not be imposed as the parking spaces measure 2.9 metres by 5.5 metres in line with Essex Parking Standards.
- The reception and storage of building materials shall take place clear of the highway.

It is therefore considered that the proposed provision of additional paved area for car parking.

Other considerations

Mistley Parish Council supports this application.

No letters of representation have been received.

Conclusion

In the absence of material harm as a result of the proposed development, this application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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: Drawing No. 666/loc A, Drawing No. 666/013 F

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

- 3 Prior to first use of development, details of secure Cycle parking shall be provided and approved in writing by the Local Planning Authority in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first use and retained at all times.

Reason - To ensure appropriate parking is provided in the interest of highway safety.

- 4 The reception and storage of building materials shall take place clear of the highway.

Reason - To ensure that appropriate loading/unloading facilities are available to ensure that the highway is not obstructed during the construction period 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.

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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