

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	05/02/2019
Planning Development Manager authorisation:	AN	5/2/19
Admin checks / despatch completed	AP	6/2/19

Application: 18/02038/FUL **Town / Parish:** Great Oakley Parish Council *file*

Applicant: Martin Gunton - Oakley Carpentry

Address: The Bungalow School Road Great Oakley

Development: Variation of condition 2 (approved Plans) to approved Planning Application 18/01262/FUL - variation of roof tile.

1. Town / Parish Council

No comments received.

2. Consultation Responses

None required.

3. Planning History

99/01110/FUL	Side extension	Approved	07.09.1999
18/01262/FUL	Proposal to demolish fire damaged bungalow & construct 2 detached dwellings.	Approved	26.10.2018

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 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 site is subject of a previous approval under reference 18/01262/FUL 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.

This application seeks to vary the approved plans condition to allow for the use of a different roof tile.

The originally approved plans detail the use of Marley Mendip Mosborough Red roof tiles to both plots. The revised plans seek permission for the use of Marley Modern Smooth Grey roof tiles to both plots.

Assessment

The proposed variation is minor and only alters the appearance and visual impact of the development. The Principle of Development, Residential Amenities, Access, Turning and Parking are not affected by the proposed variation and do not require further assessment in addition to that already covered under 18/01262/FUL.

The main consideration in this instance is therefore the design and impact from the proposed new roof tile.

Design and Impact

The immediate locality is predominantly characterised by red roof tiles although there is some variation between plain and pan tiles and some examples of brown roof tiles directly opposite. Some of the more weathered brown tiles appear grey. There are examples of slate roof tiles within the more historic part of Great Oakley to the east.

Overall, there is a mixture of materials and house type designs in the vicinity and these 2 stand-alone properties will not look overly prominent or harmful with the use of a grey roof tile.

Representations

No comments have been received from Great Oakley Parish Council. They did not object to the original application.

No individual letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the revised development, the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be begun before 26th October 2021.

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 and Drawing No OCSR-02.

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 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.

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.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

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