

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	06/02/2019
Planning Development Manager authorisation:	SCE	06.02.19
Admin checks / despatch completed	ER	07/02/19

**Application:** 18/02053/FUL **Town / Parish:** Clacton Non Parished RW

**Applicant:** Mrs Kim House

**Address:** 54 Tewkesbury Road Clacton On Sea Essex

**Development:** Ramped access.

### 1. Town / Parish Council

Clacton Non Parished

### 2. Consultation Responses

N/A

### 3. Planning History

18/02053/FUL Ramped access. 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

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)  
SPL3 Sustainable Design

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 site is located to the south west of Tewkesbury Road, inside the development boundary of Clacton on Sea. It serves a semi detached two storey dwelling constructed of brick with a tile roof. The front of the site has an area of concrete hardstanding and an area of grass. The site frontage is entirely open with a low level fence and a brick wall on the side boundaries.

### **Proposal**

The application proposes ramped access to the dwelling, measuring 4.5m by 1.2m wide, constructed with a brushed concrete ramp, dwarf walls and keyclamp hand rails.

### **Assessment**

The main considerations of this application and the design, visual amenity, impact on residential amenity and parking.

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, and the development will not have a materially damaging impact on the amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

### **Design and Amenity**

The proposed development is considered to be of a scale and nature appropriate to the site and the surrounding area. The ramp will be visible from the road, but due to its modest nature will not have any significant adverse impact on the visual amenity or character of the area and is considered acceptable in this regard.

The ramped access is located centrally within the application site and the associated handrails are a modest 1.05m in height (maximum). The development is not considered to cause any adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

### **Parking**

The ramp extends into the front garden area of the dwelling, removing some of the hardstanding that currently exists for parking. Notwithstanding this, there is still sufficient space for parking 2 no. vehicles at the front of the property so there is no objection to the level of off street parking available at the site.

### **Other Considerations**

No letters of representation have been received.

Conclusion

It is considered that the revisions to the proposed development are 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.

**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: Site Plan 1:500, Proposed Floor Plan (as per annotated measurements) and Proposed Elevations (as per annotated measurements).

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

**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>		NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>		NO