

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	04/02/2019
Planning Development Manager authorisation:	SCE	04.02.19
Admin checks / despatch completed	ER	07/02/19

Application: 18/02066/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr and Mrs Whitfield

Address: Quo Vadis London Road Clacton On Sea

Development: Proposed front porch and extended driveway and crossover.

1. Town / Parish Council

Clacton on Sea Non Parished

2. Consultation Responses

ECC Highways Dept
Amended 25/01/2019

The information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal includes a widened vehicle crossover and extended driveway, it should be noted that the area identified as driveway is provided over highway land and is for the purpose of providing vehicle access to off street parking within the curtilage of the 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. Notwithstanding the width of the vehicular access shown in the planning drawing QV 02. The current vehicular access shall be extended to a width of 4.5 metres and shall be retained at that width from the carriageway edge to the front site boundary. The widened access shall be provided with an appropriate vehicular crossing of the highway verge. Full details shall be submitted to and approved in writing by the Local Planning Authority and the Highway Authority.
Reason: To ensure that vehicles can enter and leave the carriageway in a controlled manner in the interest of highway safety in accordance with policy DM1.

2. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

3. 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.

4. 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.

Informative:

' The applicant should be made aware of the potential relocation of the utility apparatus in the highway; any relocation shall be fully at the applicant's expense.

' All 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

3. Planning History

18/02066/FUL Proposed front porch and extended Current
driveway and crossover.

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

QL3 Minimising and Managing Flood Risk

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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

SPL3 Sustainable Design

PPL1 Development and Flood Risk

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)

Proposal

This application seeks permission for the erection of a front porch and an extension to the access and driveway.

Upon assessment of the proposal the rear extension shown on the plans was assessed and considered to be in line with Permitted development and has not been assessed as part of the application.

Assessment

Design and Appearance

The proposal will be sited to the front and therefore publicly visible.

The proposed design and scale of the porch is considered appropriate to the host dwelling and it will be sited 20m from the front of the site to prevent it from having a harmful impact to the streetscene. The materials used will be consistent with the existing dwelling.

The extension to the driveway and vehicular access will be publicly visible however due to their minor nature would not appear harmfully within the streetscene or in relation to the host dwelling.

The site is situated outside the housing settlement limits however as the proposal will be in keeping with the existing character of the dwelling and will not harm the character of the surrounding area the proposal meets Policy HG12 of the Adopted Local Plan 2007.

Flood Risk

The site is located within National Flood Zone 2 and therefore a flood risk assessment is required in line with Saved Policy QL3 of the Adopted Local Plan 2007. A Flood Risk Assessment has been provided detailing mitigation measures to avoid additional risk of flooding.

Highway Safety

Parts of the proposed additions will be sited on existing parking for the site however the site is large enough to accommodate the proposal and two parking spaces in line with the Essex county Council Parking Standards and would therefore not result in a harmful impact to highway safety.

As the proposal involves the widening of the existing vehicular access Essex County Council Highways have been consulted and do not object to the scheme subject to conditions imposed upon the permission controlling the width of access, surface treatment materials, surface water discharge and areas of storage on the site for building materials

Impact on Neighbours

The proposal will not result in a harmful impact to residential amenities as the site has no immediately adjacent neighbouring dwellings.

Other Considerations

Clacton is non perished and therefore no comments are required.
No further letters of representation have been received.

Conclusion

In the absence of material harm resulting from the proposed 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: QV 02, QV 03 and Flood Risk Assessment.

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

- 3 The vehicular access shall be widened as shown in principle on planning drawing QV 02. The widened access shall be provided with an appropriate vehicle crossing of the highway verge.

Reason - To ensure that vehicles can enter and leave the carriageway in a controlled manner in the interest of highway safety.

- 4 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason - To avoid displacement of loose material onto the highway in the interests of highway safety.

- 5 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.

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 Informative

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.

The applicant should be made aware of the potential relocation of the utility apparatus in the highway; any relocation shall be fully at the applicant's expense.

All 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.

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