

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	27/02/2019
Planning Development Manager authorisation:	SCE	28.02.19
Admin checks / despatch completed	ER	01/3/19

KDE

Application: 19/00070/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr Dowe

Address: 20 Morris Avenue Jaywick Clacton On Sea

Development: New front entrance to property and level platform for steplift.

1. Town / Parish Council

Clacton on Sea – non Parished

2. Consultation Responses

Building Control and Access Officer No comments at this stage.

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

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

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.

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.

3. Planning History

96/00274/FUL	(18/20 Morris Avenue, Jaywick) Extension to form 3 bedroom bungalow	Approved	10.04.1996
19/00070/FUL	New front entrance to property and level platform for steplift.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL3 Minimising and Managing Flood Risk

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

PPL1 Development and Flood Risk

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)

Application Site

The application site is within the development boundary of Jaywick. It serves a detached bungalow constructed of brick and render with a tiled roof. The front of the site is entirely concreted for parking with concrete steps leading to the porch.

Proposal

This application seeks planning permission for a new front entrance to the dwelling and a level platform for step lift. The step lift will have a maximum depth of 1.9m and will be 1.3m wide.

Assessment

The main considerations of this application are the design, highway safety, flood risk and impact upon residential amenity.

Policy Considerations

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 privacy, daylight and other 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 appearance

Morris Avenue is constructed of varying different dwelling designs and consists of many flat roofed extensions to the front. Whilst the proposal will be visible from Morris Avenue, it is of a minor nature and will be set back from the front boundary and from the highway to refrain it from having any harmful impact to the appearance and character of the existing dwelling and street scene.

Flood risk

It is noted that the application site lies within both Flood Zones 2 and 3. The frontage is currently hardsurfaced and with no additional living accommodation being created, there will be no increase in flood risk.

Impact on Neighbours

The proposal is a minor improvement to the dwelling as it will only have a maximum height of 1.1m and will be partially screened from the neighbour to the South by the boundary fence which would be 1.4m from the proposal. It will also be screened from the North due to the dwellings existing flat roofed porch. Therefore the proposal will not result in a loss of residential amenities to the neighbouring sites.

Highways Safety

ECC Highways have been consulted on this application as the proposal encroaches onto the properties parking area. They have raised no objection to the proposal because whilst it does encroach on the parking area it is not of a large floor area and therefore does not affect the amount of space available for parking; it is therefore considered that the proposal is acceptable in terms of highway safety.

Other Considerations

Clacton is non parished and therefore no comments are required.

No letters of representation have been received.

As the proposal is for disabled access to the property the councils Building Control and Access officer has been consulted and has provided no objections to the scheme.

Conclusion

It is considered that the proposed development is 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 / 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 titled "Site plan 1:500", drawing showing existing and proposed floor plans scaled at 1:100 at A3 and drawing illustrating proposed and existing elevations scaled at 1:100.

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.

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Reception and Storage of Building Materials

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