

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	02/05/2019
Planning Development Manager authorisation:	SCE	03.05.19
Admin checks / despatch completed	<i>[Signature]</i>	03/05/19.

**Application:** 19/00325/FUL **Town / Parish:** Frating Parish Council *ER*

**Applicant:** Mr A Wiltshire

**Address:** St Edmunds Bromley Road Frating

**Development:** Remove existing hedge and construct front boundary wall.

### 1. Town / Parish Council

Frating Parish Council No comments received.

### 2. Consultation Responses

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. The new boundary wall shall be constructed as shown in the Front Boundary Wall Plan and Elevations Block and Location Plans, drawing no. 18/189/01A.

Reason: Interest of highway safety in accordance with policy DM1..

2. 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/carrageway (delete as appropriate).

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway/carrageway (delete as appropriate) 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 1:

On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

#### Informative 2:

Prior to the construction of the wall the applicant would be advised to visit Essex Highways website under Highway status enquiries to request a copy of the definitive map showing the extent of the highway boundary at the front of the property. To ensure the wall does not encroach onto the Publicly Maintainable Highway verge.

#### Informative 3:

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](mailto:development.management@essexhighways.org) or by post to:

SMO1 ' Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester.  
CO4 9YQ.

Tree & Landscape Officer The existing boundary hedge makes a pleasant contribution to the appearance however it does not fall within the scope of any legislation under which it could be formally protected.

The consent of the Council is not required prior to the removal of the hedge.

### 3. Planning History

99/00284/FUL	Extension and alterations	Approved	19.04.1999
02/02267/FUL	Rear and front extensions. Roof conversion.	Approved	13.01.2003
18/01671/FUL	Remove existing hedge and construct front boundary wall.	Approved	27.11.2018
19/00325/FUL	Remove existing hedge and construct front boundary wall.	Current	

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019  
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

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