

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	07/05/19
Planning Development Manager authorisation:	AN	7/5/19
Admin checks / despatch completed	W	7/5/19

ER

Application: 19/00343/FUL **Town / Parish:** Wrabness Parish Council

Applicant: D Rickwood/M Terrick

Address: 30 East Foreshore Stone Lane Wrabness

Development: Install a new row of posts at front edge of dwelling and raise the whole platform by 30cm. Move steps to the east side & extend hut.

1. Town / Parish Council

Wrabness Parish Council No objection to the application..

2. Consultation Responses

N/A

3. Planning History

N/A

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

EN3 Coastal Protection Belt

EN5A Area Proposed as an Extension to the Suffolk Coasts and Heaths AONB

EN6 Biodiversity

EN11A Protection of International Sites European Sites and RAMSAR Sites

EN11B Protection of National Sites SSSI's, National Nature Reserves, Nature Conservation Review Sites, Geological Conservation Review Sites

HG20 Plotland Development - Replacement Dwellings and Extensions to Existing Dwellings

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

PPL2 Coastal Protection Belt

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 '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

Site Description

The application relates to hut number 30 East Foreshore. The Wrabness Foreshore and application site is located outside the defined settlement limits of Wrabness and within the Coastal Protection Belt. The site is in close proximity to a Ramsar, SSSI and SPA designation.

Beach hut style cabins have been a feature of the foreshore since the 1930s many of which have been rebuilt following the 1953 floods or from fire damage. The area is therefore characterised by the open landscape and beach with huts of different designs and colours positioned in a linear arrangement.

Description of Proposal

This application seeks planning permission for numerous minor alterations to the property, as detailed below:

- o Installation of six square oak posts to the front of the property, each measuring 3m in height;
- o Raise the property by 300mm;
- o Relocate existing stairway from the west of the property to the east of the property;
- o Extend the decking to the eastern side to create a more secure boat store; and
- o Erect a small side extension, measuring 1.9m height, 1.8m width and 8.2m depth.

The works proposed are a response to recent inclement weather conditions that have clearly damaged the property.

Assessment

1. Plotland Development Site - Principle of Replacement Hut

The site is designated as a "plotland development" site within the adopted Tendring District Local Plan 2007 where Policy HG20 becomes relevant. Saved Policy HG20 sets out the criteria by which development of such plots is permitted and states "replacement of lawful plotland dwellings will be permitted provided that the cubic content of the replacement dwelling does not exceed that permitted for the original dwelling under the tolerances of the General Permitted Development Order." The emerging Tendring District Local Plan Publication Draft 2017 does not include a comparable policy.

The applicant has stated within the submitted Design and Access Statement that the site is occupied for leisure purposes, but has an occupancy restriction to ensure it is only used between 1 April and 31 October. Therefore in this instance Saved Policy HG20 (ii) is the relevant criteria which states that for plotland sites at Wrabness Beach, replacement (or extension) of lawful, holiday dwellings will be permitted on a like-for-like floor area and volume basis.

The applicant has confirmed within the Design and Access Statement that the hut has not been the subject of any extensions and remains as originally built. The application proposes some minor alterations to the dwelling, including increasing the overall height by 300mm, re-locating the stepped access in line with a proposed lean-to side extension (which is of a modest size), and the addition of six oak posts to the front edge of the plot. Whilst the proposed works would see a slight increase in the overall height and width, they are aimed to improve flood risk issues that have recently affected the plot, and will not overly exceed the existing floor area.

2. Design and Impact on the Countryside

The application site is on the edge of the river Stour on the Essex/Suffolk border. The application site is sited along the beach set in amongst other huts, all of which are sited slightly higher, and planting. Therefore views of the proposed works will only be visible at 'beach level', where the works will be minor and in-keeping with the size, scale and appearance of adjacent plots. While the proposed re-sited stairwell initially appears separated to the host property, this is to account for the increased decking. Further, upon visiting the site it is clear there is sufficient room to accommodate this and it will result in no detrimental visual harm. It would therefore be unreasonable to object to the proposal on these grounds.

3. Impact upon the amenities of neighbouring residents

Whilst the side extension will see the plot located in closer proximity to Plot 29, it is of a minor nature and will not result in any additional harm to existing amenities in respect of loss of light or overlooking concerns. The works will also result in a neutral impact to the existing amenities of Plot 30A.

4. Nature conservation issues

With regards to ecology issues, the site is in close proximity to a Ramsar, SSSI and SPA designation. However, subject to conditions such as construction periods to avoid the winter bird season, construction activities, material storage and access to the site, the proposal will not be likely to have an adverse impact on the ecology and biodiversity designations of the area.

Other Considerations

Wrabness Parish Council have no objection to the proposal.

There have been no other letters of representation received.

6. Recommendation

Approval.

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, the untitled Site Location Plan, drawing numbers 3 and 5, and the document titled 'Design and Access Statement'.

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

- 3 No construction works shall take place between the months of October and March inclusive.

Reason - To avoid potential disturbance effects on the qualifying features of the nearby Stour and Orwell estuaries, SPA and RAMSAR sites and the Stour Estuary SSSI.

- 4 No movement or operation of plant or storage materials in connection with the construction of the development hereby approved shall take place upon the foreshore without prior written consent from the Local Planning Authority.

Reason - To protect the foreshore from disturbance.

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.