

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	09/05/2019
Planning Development Manager authorisation:	AN	9/5/19
Admin checks / despatch completed	AN	2/5/19

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Application: 19/00097/DETAIL **Town / Parish:** Weeley Parish Council

Applicant: Mr & Mrs Lonsdale

Address: Plot 3 Wenlock Road Weeley

Development: Erection of 3 No. detached houses and garages (Following demolition of one house and vehicle body repair workshops). Reserved matters application for Plot 3 following outline approval 17/00381/OUT re-considering appearance only - variation of roof tiles and weatherboarding to main house, garage and link.

1. Town / Parish Council

Weeley Parish Council has no comment to make on this application

2. Consultation Responses

Tree & Landscape Officer The information provided by the applicant adequately demonstrates that the development of the land can take place without causing harm to the retained trees that are situated on the western and southern boundaries of the application site. The development must comply with the requirements of the Tree Protection Plan.

Environmental Protection No comments received.

ECC Highways Dept No comments received.

Natural England Consultation with Natural England not required due to the minor scale of the development.

3. Planning History

14/30356/PREAPP	Demolition of workshops and dwelling and erection of 5 detached dwellings.	Refused	19.06.2015
17/00381/OUT	Erection of 3 No. detached houses and garages (Following demolition of one house and vehicle body repair workshops).	Approved	18.05.2017
17/30236/PREAPP	Erection of a single dwelling.	Approved	
17/01594/DETAIL	Reserved matters application following outline permission 17/00381/OUT for Access, Appearance, Landscaping, Layout & Scale for Plot 3.	Approved	16.11.2017

18/00032/DETAIL	Revised reserved matters application following outline permission 17/00381/OUT for Access, Appearance, Landscaping, Layout & Scale for Plot 3 - variations to the approved design and layout to include a swimming pool/plant room to the rear of the approved garage.	Approved	29.03.2018
18/00050/DISCON	Discharge of Conditions 5 (Contamination) and 9 (Construction Method Statement) of planning permission 17/00381/OUT.	Approved	09.03.2018
18/00913/DETAIL	Reserved Matters Application following Outline Approval 17/00381/OUT for Plot 3 in respect of conditions 03 and 07 of the previous outline approval.	Approved	02.08.2018

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG9 Private Amenity Space

TR7 Vehicle Parking at New Development

EN1 Landscape Character

EN6 Biodiversity

EN11A Protection of International Sites European Sites and RAMSAR Sites

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

SPL1 Managing Growth

SPL3 Sustainable Design

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

Local Planning Guidance

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.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination In Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is located at the end of Wenlock Road, a private road located around 80 metres south west of the edge of the Settlement Development Boundary for Weeley as defined within both the saved and emerging local plans. The road serves horse paddocks and four existing dwellings. To the immediate west lies the dwelling Greenacres, with open agricultural land to the north, east and south. To the west of the lower section of the site lies the dwelling Maudlings.

Description of Proposal

The application seeks the approval of the reserved matters in relation to plot 3 of the approved outline application reference 17/00381/OUT re-considering appearance only to allow a variation to the previously approved materials schedule.

The amendments comprise:

- Roof Tiles - Redland Plain Tile 03 Antique Red (Granular) 6151-03 (previously - Natural Grey Slate (Spanish Slate Deep Mined)
- Cladding - Hardie Plank weatherboarding: Black (previously Mountain Sage)

Assessment

The main considerations are;

- Principle of Development;
- Appearance;
- Landscaping;
- Access and Parking;
- Financial Contribution - RAMS; and,
- Representations.

Principle of Development

Outline consent was given by the Planning Committee on 16th May 2017 under planning application reference 17/00381/OUT with the reserved matters approved under 17/01594/DETAIL.

Variations to the design and appearance of the dwelling have been approved under 18/00032/DETAIL and 18/00913/DETAIL.

At the time of the officers site visit the approved dwelling for plot 3 was nearing completion.

Appearance

Having regard to the mixed character of Wenlock Road, the amendments to the proposed roof and facing materials are considered acceptable in appearance and will not result in any detrimental visual impact.

The red roof tiles and black weather boarding are considered appropriate in this semi-rural location and will not result in any harm to the overall character of the area.

Landscaping

The Council's tree officer confirms the development can take place without causing harm to the trees. The amendments do not result in any additional impact upon the trees or landscaping and the agreed tree protection is controlled by condition 7 of the outline permission and the approved details shown on drawing no: 18/03-10.

Access and Parking

Wenlock Road is a private road. Condition 09 of the outline permission requires submission of a construction method statement which has been submitted and approved under 18/00050/DISCON.

The changes to the materials do not alter the approved parking and access and parking arrangements.

Financial Contribution – RAMS

The original planning permission has been implemented through the commencement of works on site. This application relates to aesthetic changes to the appearance of the dwelling and does not propose to increase the number of dwellings built. It is the Council's view that it would be unreasonable to seek mitigation measures in this instance.

Representations

Weeley Parish Council raises no objection.

No individual letters of objection have been received.

Conclusion

For the reasons set out above, the revised reserved matters application is recommended for approval.

6. Recommendation

Approval - Reserved Matters/Detailed

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 1803-10, 1803-09 revision B and Revised Schedule of Materials.

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

- 2 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on drawing number 1803-10 shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To ensure the adequate maintenance of the approved landscaping scheme for a period of five years in the interests of the character of the surrounding area.

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.

Conditions Precedent

The applicant is reminded that the detailed planning consent is subject to conditions attached to the outline permission for this development ref 17/00381/OUT (and related Discharge of Condition application 18/00050/DISCON). Please refer to the outline planning permission to ensure full compliance with all conditions.