

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	12/06/2019
Planning Development Manager authorisation:	SCE	12.06.19
Admin checks / despatch completed	AP	12/6/19

Application: 18/02057/DETAIL **Town / Parish:** Little Oakley Parish Council ER

Applicant: Mr T Palmby - Tocia Properties

Address: 21 Mayes Lane Ramsey Harwich

Development: Amended Reserved Matters application for Landscaping, Appearance, Layout and Access following approval of 17/01150/DETAIL: Plot 2 single garage replaced with double garage, extend vehicular access to new double garage, reposition adjacent visitor parking, amend soft and hard landscaping and timber fencing works to accommodate amendments and alteration to soft and hard landscaping along the boundary adjacent to the land.

1. Town / Parish Council

Little Oakley Parish
Council

In reference to the application for a single garage on Plot 2 to be replaced by a double garage at the above location Little Oakley Parish Council made the decision of Neutral at their last meeting.

2. Consultation Responses

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority. The amendment includes a double garage that will be provided in accordance with the current parking standards, therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority as it is not contrary to the following Development Management policies:

- A) Safety: Policy DM 1 of the Highway Authority's Development Management Policies February 2011
- B) Accessibility: Policy DM 9 of the Highway Authority's Development Management Policies February 2011
- C) Efficiency/Capacity: Policy DM 1 of the Highway Authority's Development Management Policies February 2011
- D) Road Hierarchy: Policy DM 2-4 of the Highway Authority's Development Management Policies February 2011
- E) Parking Standards: Policy DM 8 of the Highway Authority's Development Management Policies February

pp Director for Highways & Transportation
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Tree & Landscape Officer

The works set out in the application to amend the vehicular access and visibility will not affect any significant trees or vegetation on the land.

As long as soft landscaping is carried out as part of this application are in accordance with the details submitted with planning application

17/01150/DETAIL then the a satisfactory level of new planting will be secured.

3. Planning History

00/01177/FUL	Proposed single storey rear extension and alterations	Approved	14.08.2000
03/00637/FUL	Convert existing garage to residential and retention of rear conservatory and detached double garage.	Approved	27.05.2003
15/30048/PREAPP	Erection of 14 residential units (bungalows) consisting of 5 x 2 bed and 9 x 3 bed.		13.08.2015
16/00223/OUT	Demolition of one dwelling and erection of residential development of up to 13 houses and bungalows.	Refused	17.06.2016
16/02084/OUT	Alteration of one dwelling and erection of 5 no. bungalows.	Approved	04.04.2017
17/01150/DETAIL	Reserved matters application following outline approval 16/02084/OUT - Alteration of one dwelling and erection of 5 no. bungalows.	Approved	06.10.2017
17/01913/DISCON	Discharge of condition 2 (construction method statement) of planning permission 17/01150/DETAIL.	Approved	07.11.2017
18/01612/NMA	Change of boundary materials from brick to timber fencing for Plot 3 (Approved Under 17/01150/Detail).	Approved	
18/01657/OUT	Variation of condition 9 (Access Road) and 10 (Vehicle Visibility) of approved Planning Application 16/02084/OUT.	Approved	22.11.2018

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
- HG1 Housing Provision
- HG7 Residential Densities
- HG9 Private Amenity Space
- EN13 Sustainable Drainage Systems
- EN1 Landscape Character
- EN11A Protection of International Sites European Sites and RAMSAR Sites
- EN6 Biodiversity
- TR1A Development Affecting Highways
- TR7 Vehicle Parking at New Development
- Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
- SPL1 Managing Growth
- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- LP1 Housing Supply
- LP3 Housing Density and Standards
- LP4 Housing Layout
- LP8 Backland Residential Development
- 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.

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 and History

The application site is situated on the eastern side of Mayes Lane, within the Parish of Little Oakley. The site formerly comprised a detached bungalow (No. 21 Mayes Lane) and its garden area and part of the rear garden of No. 17 Mayes Lane.

Outline planning permission for alterations to number 21 Mayes Lane and the erection of 5 dwellings to its rear was approved by Planning Committee on 29 March 2017 under planning reference 16/02084/OUT. At this time Members requested that the reserved matters be brought back to committee for determination. The reserved matters application was approved on 3rd October 2017 under reference 17/01150/DETAIL. 18/01657/OUT approved amendments to the access and visibility splays (Variation of condition 9 (Access Road) and 10 (Vehicle Visibility) of approved Planning Application 16/02084/OUT.)

The approved scheme is under construction and nearing completion.

Description of Proposal

The application seeks planning permission for amendments to the approved details as follows;

- To amend Plot 2's single garage to a double garage
- To extend the vehicular access leading to the double garage
- To reposition the adjacent visitor parking to accommodate the vehicular access for Plot 2 garage
- To amend any associated soft and hard landscaping and timber fencing works to accommodate the above amendments
- To alter soft and hard landscaping along the boundary adjacent to the land at 17 Mayes Lane; in order to accommodate the potential and flexibility for any new residential expansion in that area (see applications 18/01772/FUL and 18/01773/FUL).

This application therefore seeks the approval of amended reserved matters in relation to access, landscaping, layout and appearance as these are the reserved matters affected by the proposed amendments.

Assessment

The principle of residential development has been accepted and established by the granting of the outline and reserved matters applications set out above.

All reserved matters in terms of scale, layout, appearance, access and landscaping have all been approved and this application does not significantly alter the approved development.

Consideration under this application is therefore limited to the detailed matters as set out in the proposal section above and other matters as appropriate covering;

- Access;
- Layout and Appearance;
- Landscaping;
- Financial Contribution - RAMS; and,
- Representations.

The remainder of the development and other plots remain as approved.

Access

The proposal includes alterations to the access layout to extend the vehicular access leading to the double garage.

This is a minor variation to the approval, does not impact upon the main entrance/access to the site and is acceptable in highway terms. The double garage and driveway width provides additional parking for plot 2 whilst retaining the 2 visitor spaces.

Essex County Council as the Highway Authority has been consulted on the application and raise no objection to the proposal.

Layout and Appearance

Amendments to the layout and appearance comprise a double garage to plot 2 (single garage previously approved), the alterations to the vehicular access leading to the new double garage and the repositioning of the adjacent visitor parking to accommodate the amended plot 2 layout.

All are fairly minor and do not materially alter the overall appearance and character of the development as a whole. As stated above, the double garage and driveway width provides additional parking for plot 2 whilst retaining the 2 visitor spaces.

Landscaping

Amendments to the landscaping comprises minor changes to the associated soft and hard landscaping and timber fencing works to accommodate the above amendments to the layout and access to plot 2 and alterations to the soft and hard landscaping along the boundary adjacent to the land at 17 Mayes Lane; in order to accommodate the potential and flexibility for any new residential expansion in that area (see applications 18/01772/FUL and 18/01773/FUL).

The landscaping changes are minor and retain a suitable level of soft landscaping to offset the additional hard surfaced parking area and relocated visitor parking. The other alterations to the boundary and fencing are again minor and not materially alter the visual impact or character of the development overall.

Financial Contribution - RAMS

The original planning permissions have been implemented through the commencement of works on site. This application relates to minor changes to plot 2 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

Little Oakley Parish Council raise no objection to the amended proposals.

No individual letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the amended scheme, the 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:

- ✓ 6026/SK44 Proposed Block Plan
- ✓ Drawing No: 6026 / SK19 Rev C Proposed Site Plan and Street Scenes
- ✓ Drawing No: 6026 / SK21 Rev C Proposed Single Garage - Plots 1 and 3
- ✓ Drawing No: 6026 / SK18 Rev D Proposed Site Plan Boundary Treatment
- ✓ DRAWING No. 17.3127.01 REVISION B LANDSCAPE PROPOSALS
- ✓ 6026_sk43 Rev C Proposed Plot 2 Double Garage Plans and Elevations

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

- 2 The development hereby permitted shall be carried out in strict accordance with the Construction Method Statement approved on 17th November 2017 under planning reference 17/01913/DISCON.

Reason - To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests 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.

Conditions Precedent

The applicant is reminded that the detailed planning consent is subject to conditions attached to the outline permission for this development reference 18/01657/OUT. Please refer to the outline planning permission to ensure full compliance with all conditions.

Also the approved plans attached to approval 17/01150/DETAIL for the scale and appearance of the dwellings and the garages to the other plots remain relevant to the development as listed below;

SK10 REV D AMENDED HOUSE TYPE A
SK12 REV D AMENDED HOUSE TYPE C
SK13 REV D AMENDED HOUSE TYPE D
SK14 REV D AMENDED HOUSE TYPE A
SK16 REV D AMENDED HOUSE TYPE C

SK17 REV D AMENDED HOUSE TYPE D
SK22 REV A AMENDED DOUBLE GARAGES - Plots 4 & 5
SK21 REV A AMENDED SINGLE GARAGES - Plots 1 & 3 (plot 2 superseded)
SK20 REV C AMENDED PROPOSED EXTERNAL LIGHT STRATEGY & BAT BOX LOCATIONS

Plans Superseded or Part Superseded by this permission:

SK03 REV B EXISTING AND PROPOSED BLOCK PLAN
SK19 REV B PROPOSED SITE PLAN & STREET SCENES
SK21 REV A PLOT 2 SUPERSEDED BY 6026_SK43 REV C
SK18 REV B PROPOSED SITE PLAN BOUNDARY TREATMENT
17.3127.01 A LANDSCAPING PROPOSALS