
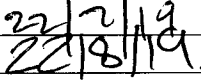

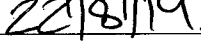


DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	21/08/2019
Planning Development Manager authorisation:		
Admin checks / despatch completed		
Technician Final Checks/ Scanned / LC Notified / UU Emails:		

Application: 19/00896/FUL **Town / Parish:** Harwich Town Council

Applicant: Mr John Howlett

Address: 703 Main Road Harwich Essex

Development Proposed dropped kerb.

1. Town / Parish Council

Harwich Town Council Harwich Town Council has no objection to this application.

2. Consultation Responses

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

1. The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3.6 metres (4 low kerbs) but no more than 4.5 metres, (5 low kerbs) and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1.

2. There shall be no discharge of surface water onto the Highway.
Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1.

3. No unbound material shall be used in the surface treatment of the vehicular access.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

(Continued....)

4. All off street car parking shall be in precise accord with the details contained within the current Parking Standards.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with Policy DM 1 and 8.

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:

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

03/01341/LBC	Removal of existing lean to conservatory and replace with larger	Approved	21.08.2003
19/00896/FUL	Proposed dropped kerb.	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

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3. Sustainable Design

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 (2019) 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)

Site Description

The application site is located to the south of Main Road, inside the development boundary of Harwich. The site serves a grade II listed terraced cottage constructed of white render and a tiled roof, with a gable fronted dormer window. The front of the site is entirely paved to allow for the parking of 1 no. car. Picket fencing exists on both side boundaries.

Proposal

The application proposes a dropped kerb to allow for access onto the site.

Representations

Harwich Town Council has no objection to this application.

One letter of objection has been received concerning:

- Block paved frontage not in keeping with listed building (Officer Comments: this block paving already exists and does not form part of this application.)
- Highway safety (Officer Comments: Essex County Council Highways have been consulted in terms of the impact on highway safety and they have no objection subject to conditions that have been imposed.)

Assessment

The main considerations are the highway safety and the impact on visual amenity and the listed building.

The adopted Tendring District Local Plan (2007) Policies QL9 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. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Policy TR1a states that proposals for development affecting highways will be considered in relation to the road hierarchy to reducing and preventing hazards and inconvenience to traffic and to the effects on the transport system including the physical and environmental capacity to accommodate the traffic generated. Policy TR7 states that the adopted car parking standards will be applied.

Highway Safety, Impact on Visual Amenity and the Listed Building

Essex County Council Highways has been consulted on this application and confirm that from a highway and transportation perspective the impact of the proposal is acceptable subject to conditions relating to access width, no surface water discharge onto the highway and no unbound materials.

The Highway Authority also suggested a condition stating that off street car parking shall be in accordance with current parking standards. The current parking standards request a minimum of 1 space for a 1 bedroom dwelling and 2 spaces for 2+ bedroom dwellings. It is noted that only 1 no. existing off street car parking space is available at the site. It is unclear from the application submission how many bedrooms the dwelling serves and therefore whether current arrangements are substandard. The proposed drop kerb does not alter the car parking arrangements at the site

and only seeks to improve access for the existing parking space. The parking arrangements are unchanged so a condition securing parking in line with current standards is not considered necessary, or achievable if the property has 2 bedrooms. However, a condition is imposed to retain the existing off road car parking space, to ensure that on-street parking does not occur.

The dropped kerb will not have any adverse visual impact on the area and other nearby properties have dropped kerbs to provide access, which sets a precedent for development. The development is considered to be a minor proposal that will not have any adverse impact on the setting of the nearby listed buildings. A Heritage Statement was not considered necessary for the development due to the proposals minor nature.

It is considered that subject to compliance with the imposed conditions there would be no significant adverse impact on the highway, visual amenity or listed building, nor will it result in any adverse impact on neighbouring properties.

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

- 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 plan: OS Planning Maps entitled 703 Main Road, Harwich, CO12 4LZ (Scale 1:1250).

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

- 3 The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3.6 metres (4 low kerbs) but no more than 4.5 metres (5 low kerbs) and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

Reason - To ensure that vehicles can enter and leave the highway in a controlled manner, in the interest of highway safety.

- 4 There shall be no discharge of surface water onto the highway.

Reason - To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

- 5 No unbound material shall be used in the surface treatment of the vehicular access.

Reason - To avoid displacement of loose material onto the highway in the interests of highway safety.

- 6 The existing off street car parking shall be retained at all times.

Reason - To ensure that on-street parking of 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.

Highway Informative:

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Colchester Highways Depot,
653 The Crescent,
Colchester.
CO4 9YQ.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO