

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	7 th Oct 2019
Planning Development Manager authorisation:	TF	11/10/2019
Admin checks / despatch completed	SB	11/10/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	KLE	11/10/19

Application: 19/01237/FUL **Town / Parish:** Weeley Parish Council

Applicant: TLC Carehomes Ltd

Address: Little Millfields 21 Mill Lane Weeley Heath

Development: Single storey flat roof front and rear extensions, internal remodelling, general refurbishment including replacement windows and partial re-roofing, and remodelling to existing car parking area to front.

1. Town / Parish Council

Mrs Nicola Baker Weeley Parish Council does not object to this application as it seems in scale with the existing building

2. Consultation Responses

NHS East Essex CCG In relation to the above-mentioned planning application, please note that NEE CCG have no comment in this regard.

Building Control and Access Officer No adverse comments at this time.

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

3. Planning History

10/01314/FUL	Single storey extension to part side and part rear.	Approved	19.01.2011
15/00875/OUT	Outline application with all matters reserved for two dwelling houses and garages.	Refused	28.10.2015
19/01237/FUL	Single storey flat roof front and rear extensions, internal remodelling, general refurbishment including replacement windows and partial re-roofing, and remodelling to existing car parking area to front.	Current	

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

COM5 Residential Institutional Uses

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

SPL1 Managing Growth

SP1 Presumption in Favour of Sustainable Development

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

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

Little Millfields is a residential care home that supports people with a range of needs who are working towards becoming more independent. All accommodation is situated on the ground floor, making it suitable for a wide range of people, including those with some mobility issues. This home is set in its own spacious well-established garden which is well screened from view by existing vegetation situated on the boundary of the application site. The boundary hedge contains two large Oaks that make a significant positive contribution to the appearance of the public realm.

Proposal

The application primarily proposes three new extensions, alterations to the existing parking layout and the replacement of some windows. Other works proposed are internal alterations only.

The front extension to the north elevation would provide an updated entrance with new visitor shower/wc. The side extension to the east elevation would provide a covered walkway to a replacement detached laundry room. The side extension to the west elevation would enlarge the staff room, the communal lounge and the dining area. Externally a new paved patio would provide a new outside amenity space for the clients. All of the extensions would have very shallow pitches and a render finish to match existing.

Principle

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

Design & Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design.

Saved Policies QL9, QL10 and QL11 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The extensions are of a scale and external finish which are entirely appropriate to the host building.

Impact to Neighbouring Amenities

The NPPF, at paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

There is one detached neighbour to the west; flank to flank separation distances just over 6m exist. The proposed replacement outbuilding would result in a marginally greater separation distance to the boundary and the existing established boundary treatment would remain.

Landscaping

The proposed extensions to the existing building may result in a minor incursion into the Root Protection Areas (RPA's) of the trees. Whilst it is not considered necessary for a detailed Arboricultural Impact Assessment (AIA) to be provided prior to the determination of the application,

details of the construction of the foundations of the extensions and the new paved areas (more specifically the new paved area to the west of the southernmost extension) should be installed using 'No-Dig' construction techniques then there will be unlikely to be any significant harm to the trees.

Highways

The application, in part, proposes alterations to the existing parking layout which currently has a very informal nature primarily due to the area being gravelled. The changes propose the installation of a block-paved area with 6 specific parking bays laid out; this is stated as increasing the number of spaces from 5 to 6.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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: BA/P19-188.304, BA/P19-188.305, BA/P19-188.306 and BA/P19-188.307 received 16th August 2019.

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

- 3 Prior to the completion of works the revised vehicle parking area indicated on the proposed block plan, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason - To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided

- 4 Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason - To ensure adequate space for parking off the highway is provided

- 5 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.

Reason - To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period.

- 6 The new paved area to the west of the southernmost extension falls within the Root Protection Areas of the trees present on the site shall be constructed using 'no dig' construction methods. Works shall be in accordance with BS5837 2012 Trees in relation to designs, demolition and construction: Recommendations.

Reason - to avoid damage to the roots of retained trees.

8. Informatives

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.

Steps should be taken to ensure that the Developer provides enough turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall 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

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO