

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	01/11/2019
Planning Development Manager authorisation:	AN	4/11/19
Admin checks / despatch completed	CC	6/11/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	6/11/19

Application: 19/01374/FUL **Town / Parish:** Wrabness Parish Council

Applicant: Mr & Mrs Collier

Address: Steeplefield Ash Street Wrabness

Development: Variation of condition 2 of application 19/00518/FUL to amend approved elevational drawings.

1. Town / Parish Council

Wrabness Parish Council No comments received.

2. Consultation Responses

Natural England Thank you for your consultation.

Natural England currently has no comment to make on the variation of condition 2.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us any further consultations regarding this development, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Suffolk Coastal Heaths
Project

Thank you for consulting the AONB team on the proposed changes to the approved application 19/00518/FUL

The AONB team does not have any concerns about the issues with the changes being proposed. The reduction in the overall amount of glazing in the proposed replacement dwelling is welcomed given the site's sensitive location. The proposed modifications should make a contribution to reducing light spillage into the surrounding AONB extension area. Any reduction in light spillage will help maintain dark skies which is a special quality of the AONB and accords with Land Use and Wildlife objective LUW1.

Essex Wildlife Trust No comments received.

3. Planning History

00/01423/FUL	Detached garage for private use	Refused	25.10.2000
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01/00432/FUL	Demolition of existing garage and construction of new detached garage/workshop	Approved	27.04.2001
91/00039/FUL	Side single storey extension.	Approved	28.02.1991
08/01598/FUL	Erection of 2 No. rear dormer windows.	Approved	02.02.2009
19/00518/FUL	Proposed demolition of existing 3 bedroom dwelling and erection of replacement 3 bedroom dwelling. Replacement doors to garage block.	Approved	24.06.2019
19/00993/DISCON	Discharge of condition 8 (Arboricultural Method Statement) for approved application 19/00518/FUL.	Approved	19.08.2019
19/01386/DISCON	Discharge of conditions 4 (Materials) and 5 (Landscaping Scheme) of approved application 19/00518/FUL.	Approved	30.10.2019

4. **Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN1 Landscape Character

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

COM6 Provision of Recreational Open Space for New Residential Development

TR7 Vehicle Parking at New Development

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

SPL1 Managing Growth

SPL3 Sustainable Design

HP5 Open Space, Sports & Recreation Facilities

LP3 Housing Density and Standards

LP4 Housing Layout

PPL3 The Rural Landscape

PPL2 Coastal Protection Belt

PPL4 Biodiversity and Geodiversity

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 relates to the property known as Steeplefield located on the northern side of Ash Street, within the Parish of Wrabness. The properties along the Ash Street are a mix of styles, mainly detached properties on wide, generous plots. The application site measures approximately 45m by 47m.

There are several trees on the site but none are protected. A public footpath runs all along the western boundary of the site and it is understood that the site is located in the proposed Suffolk Coast and Heaths AONB extension.

Description of Proposal

The application seeks a variation to the approved application 19/00518/FUL which sought 'Proposed demolition of existing 3 bedroom dwelling and erection of replacement 3 bedroom dwelling. Replacement doors to garage block.'

The proposed variations comprise fairly minor amendments including;

- fenestration layout and detailing amendments to all elevations;
- amendments to the design of the central glazed section;
- amendments to the north elevation glazed feature;
- relocation of the flue; and,
- alterations to the boundary walls/access gates.

Assessment

The main considerations in this instance are;

- Principle of development;
- Ecology;
- Trees and Landscaping;
- Coastal Protection Belt;
- Impact on Neighbours;
- Parking Provision;
- Representations; and,
- Financial Contributions.

Principle of Development

The proposal involves the one for one replacement of a dwelling outside of any defined settlement boundary and is therefore acceptable in principle subject to detailed consideration against saved Policy HG12 of the adopted Tendring District Local Plan (2007).

The principle of the development was assessed in full and approved under application 19/00518/FUL.

The proposed amendments do not significantly alter the design and the impact of the proposed replacement dwelling remain compliant with the criteria set out within saved Policy HG12 of the adopted Tendring District Local Plan (2007) and remain acceptable in visual amenity terms.

Ecology

An ecological impact assessment was undertaken by Hybrid Ecology and their report was included in the original submission. Compliance with the recommendations set out within the ecology report are secured by condition.

Trees and Landscaping

The application site contains several mature trees that feature prominently in the public realm. The original application was accompanied by the required Tree Report and Survey. Compliance is secured by condition together with the landscaping scheme approved under 19/01386/DISCON. The amended proposal does not impact the trees and landscaping.

Coastal Protection Belt

The site lies within the Coastal Protection Belt where saved and draft policy seek to protect the character of the undeveloped coastline and seek to ensure that development proposals are safe for their lifetime. This proposal is for amendments to a replacement dwelling approval and does not incorporate an undeveloped part of the coastal protection belt. The amendments will not be harmful to visual amenities in this locality.

Impact on Neighbours

There is significant separation distance between the replacement dwelling and the neighbouring properties. Furthermore, there are mature trees and hedgerows along the boundaries softening the impact.

No harmful impact on neighbouring amenities with regards to daylight, outlook or privacy will result from the amended proposal.

Parking Provision

The proposed amendments do not impact upon the access and parking arrangements already approved.

Representations

No comments have been received from Wrabness Parish Council.

No individual letters of representation have been received.

Conclusion

In the absence of material harm resulting from the amended proposals, 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 24.06.2019.

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:
 - o SF 020 P3 - Proposed south elevation
 - o SF 021 P3 - Proposed north elevation
 - o SF 022 P3 - Proposed east elevation
 - o SF 023 P3 - Proposed west elevation
 - o SF 010 P3 - Proposed ground floor plan
 - o SF 011 P3 - Proposed first floor plan
 - o SF 012 P3 - Proposed roof plan
 - o SF 031 P3 - Proposed section AA

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

- 3 The development hereby approved shall be carried in strict accordance with the Tree Survey SHA reference: SHA 680 dated 14.12.18 and Drawing Number SHA 680 DA and Drawing Number SHA 680 TSP.

Reason - To ensure that the trees to be retained are protected in the interests of visual amenity and landscape character.

- 4 The development shall be carried out in accordance with the details approved under 19/01386/DISCON unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of visual amenity.

- 5 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details Drawing No. SF003 DC3 approved under 19/01386/DISCON 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 area and the quality of the development.

- 6 The development hereby approved shall be carried out in accordance with the Summary of Ecological Constraints and Opportunities details contained in the Ecological Impact Assessment, Hybrid Ecology Ltd (dated October 2018).

Reason - In the interests of biodiversity.

- 7 The development shall be carried out in strict accordance with the Arboricultural Method Statement and tree protection measures approved under 19/00993/DISCON unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the trees to be retained are protected in the interests of visual amenity and landscape character.

- 8 The removal of any vegetation for site access/site clearance shall only be carried out outside of the bird nesting season (March to August inclusive).

Reason - To ensure the protection of birds potentially nesting on site.

- 9 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

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

- 10 Notwithstanding the provisions of Article 3, Schedule 2 Part 1 Classes A, B, C and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), there shall be no additions or alterations to the dwelling or its roof, nor shall any buildings, enclosures, swimming or other pool be erected except in accordance with drawings showing the design and siting of such additions and/or building(s) which shall previously have been submitted to and approved, in writing, by the local planning authority.

Reason - It is necessary for the local planning authority to be able to consider and control further development in order to ensure that landscape harm does not result.

- 11 All new parking areas and areas of hardstanding shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area within the site area.

Reason - In the interests of sustainable development and to minimise the risk of surface water flooding.

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.

Highways Informatives

1. There shall be no discharge of surface water onto the Highway.
2. Steps should be taken to ensure that the Developer provides sufficient 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.
3. On the completion of the Development, all roads, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority."
4. 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

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 carriageway to ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.

Note:

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.