

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	25/11/2019
Planning Development Manager authorisation:	TF	27/11/2019
Admin checks / despatch completed	SLD	28/11/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	28/11/19

Application: 19/01488/FUL **Town / Parish:** Weeley Parish Council

Applicant: Hickey

Address: 8 Rectory Road Weeley Heath Clacton On Sea

Development: Proposed ramped access.

1. Town / Parish Council

Mrs Nicola Baker Weeley Parish Council has no objection to this application

2. Consultation Responses

N/A

3. Planning History

05/00805/OUT Erection of detached chalet Approved 14.07.2005

19/01488/FUL Proposed ramped access. 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

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

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

SPL3 Sustainable Design

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Application Site

The application site is within the development boundary of Weeley Heath. It serves a detached bungalow constructed of brick and render with a tiled roof. The front of the site is laid to lawn with a concrete pathway to the front door, sited adjacent to the host dwelling is an existing garage with a concrete driveway in front.

Proposal

This application seeks planning permission for a new front ramped access with hand rails. The ramp will have a maximum overall depth of 3.8m and will be 1.3m wide and 0.2m in height with hand rails 1m in height.

Assessment

The main considerations of this application are the design, highway impact and impact upon residential amenity.

Policy Considerations

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 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, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Design and Appearance

The proposal will be sited to the front and therefore publicly visible. The proposal is of a minor nature which is of a size and scale appropriate to the existing dwelling.

As a result of its minor nature it is considered that the proposal would not result in an adverse impact to the character of the area.

Highway Safety

The ramp will be located where the existing pathway is therefore will not impact the existing driveway. The proposal would therefore not result in a harmful impact to highway safety.

Impact on Neighbours

Whilst the proposal will be visible to the neighbouring properties due to its minor nature and sufficient distance from neighbouring boundaries it will not result in an adverse impact to residential amenity.

Other Considerations

Weeley Parish Council have no objections to the application.

No other letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the proposed development the application is recommended for approval.

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 drawing titled Site Plan 1:500 dated 03/10/2019, drawing illustrating both existing and proposed elevations scaled at 1:100 @ A3 dated 24/09/2019 and drawing illustrating the proposed floor plan scaled at 1:50 @ A3 dated 01/10/2019.

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

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.

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