

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	WC	3/2/2020
Planning Development Manager authorisation:	AN	3/2/20
Admin checks / despatch completed	AS	3/2/20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	3/2/2020

Application: 19/01866/FUL **Town / Parish:** Great Oakley Parish Council

Applicant: Mr Moor - Lime Trees Care Group

Address: Limetrees Harwich Road Great Oakley

Development: Proposed single storey extension to residential care home.

1. Town / Parish Council

No comment.

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 current site has parking for ten vehicles, and this is being retained; vehicular access in and out of the premises will remain unchanged too, therefore:

The Highway Authority does not object to the proposals as submitted.

Informatives:

1: Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

2: 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.

3: 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,

NHS East Essex CCG
Building Control and
Access Officer

Colchester
CO4 9YQ

No adverse comments at this time.

3. Planning History

01/00314/FUL	Extension to dwelling to provide accommodation suitable for a 6 person dwelling	Refused	24.04.2001
01/01017/FUL	Extension to dwelling	Approved	22.08.2001
01/01575/FUL	Extension to dwelling to provide conservatory between two extensions approved under planning application no. 01/01017/FUL	Approved	24.10.2001
19/01866/FUL	Proposed single storey extension to residential care home.	Current	

4. Relevant Policies / Government Guidance

Tendring District Local Plan 2007

COM5 Residential Institutional Uses

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR7 Vehicle Parking at New Development

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

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

HP1 Improving Health and Wellbeing

NPPF National Planning Policy Framework February 2019

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.

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)

Proposal:

To extend the rear of the existing care home comprising a single storey extension, approximately 25 metres deep.

Site Description:

Single storey care home, detached, with large rear garden near the eastern end of Great Oakley on the edge of the development boundary. Both the existing building and proposed extension are within the development boundary.

Analysis:

Principle of the development

The proposal to extend the existing care home inside the defined development boundary is supported in principle in accordance with the above policies, subject to assessment of the following considerations:

Visual Impact:

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.

Policy COM5 of the adopted Tendring Local Plan sets out the policy criteria for new residential institutions requiring that extensions/alterations should not give rise to overdevelopment.

The proposed extension is single storey comprising of both single pitches and flat roof, the ridge of the pitches matches the height of the current care home. External wall materials are combination of brick and render. Given the single storey height of the extension and position at the back of the building it would have no significant impact on the streetscene. Furthermore, although large in terms of depth, it is considered the large plot size can easily accommodate the extension.

Impact on adjoining properties.

The NPPF, 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 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).

The proposed extension is positioned centrally from the rear of the care home away from the boundaries of adjoining properties and the design is such that there is a minimum of 4 metres gap between the sides and boundaries. Furthermore, taking into account the low level height of the extension and the pitches that slope into the site away from the boundaries, along with the topography and boundary treatments, it is assessed there would be no adverse impact on the amenities of neighbouring properties in terms of light, outlook and privacy. It should be also noted the adjoining neighbouring properties are orientated away from the application site.

Parking and Highway Safety

The proposal would create an additional 4 bedrooms, increasing the total to 10. Staffing levels would increase from 15 (current) to 22.

Essex County Council Parking standards for C2 use require 1 space per 3 bedrooms and 1 space per each full time staff.

Although the home would employ a total of 22 people, there would only be approximately 6 staff on a given shift during the day, and approximately 2 at night. Together with the number of additional rooms, the development would require a total of 10 parking spaces according to Essex County Parking Standards.

The care home has private space at the front for 10 off street parking spaces as confirmed in the comments by the Highways Authority. It is considered this amount of space is sufficient for the increase in size of the care home and would be sufficient for the amount of staff on site. It should be noted that the Highways Authority raise no concerns with regards to parking or highway safety given this provision. Furthermore, according to the agent, approximately 30% of staff use public transport.

Other considerations:

No objections from the Highways Authority.
No representations received from neighbours.
Building Control - no comments.

Conclusion

The proposal would consolidate the existing care home. It is considered it would cause no detrimental impact on the streetscene and no adverse impact on amenities of neighbouring properties by virtue of its low level height, design and central position within the plot. Furthermore there is sufficient parking in the front. Therefore 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 plan: 900/01 and 900/10B, received 9th December 2019.

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

8. Informatives

INFORMATIVE 1:

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.

INFORMATIVE 2:

Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

INFORMATIVE 3:

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.

INFORMATIVE 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.

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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:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO