

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 west of Waldegrave Road, inside the development boundary of Manningtree. It serves a semi detached two storey dwelling, constructed of brick and a tile roof. It has an existing ramped access with handrails protruding from the front of the host property running alongside the existing driveway.

Proposal

The application proposes a ramped access with hand rails running across the front of the host property.
It measures 5.5m x 3m with step and ramp no higher than 3m.

Assessment

The main considerations of this application are the design, highway safety 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

Waldegrave Way is comprised of semi-detached houses and bungalows, many of which have ramped access installed to the front of the property. Whilst the proposal will be visible from

Waldegrave Way, it is of a minor nature and replacing an existing similar ramped and stepped access with handrails. It will be set back from the front of the boundary and from the highway to refrain it from having any harmful impact to the appearance and character of the existing dwelling and street scene.

Impact on Neighbours

The proposal is a minor improvement to the dwelling which will have no significant impact on the neighbouring dwelling. Therefore the proposal will not result in a loss of residential amenities to the neighbouring sites.

Highway Safety

The proposal has no encroachment into the properties parking area, it is therefore considered that the proposal is acceptable in terms of highway safety.

Other Considerations

The parish of Lawford have no objections to this proposal.

No letters of representation have been received.

As the proposal is for disabled access to the property the councils Building Control and Access officer has been consulted and has provided no objections to the scheme.

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 / 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: Existing and proposed elevations and proposed floor plans ref; GARRAD-49WAL-SC dated 16/12/2019.

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