

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	04/11/2020
Planning Development Manager authorisation:	SCE	04.11.2020
Admin checks / despatch completed	CC	04.11.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	04/11/2020

Application: 20/01228/FUL **Town / Parish:** Great Bromley Parish Council

Applicant: Mr & Mrs Richmond

Address: Grange Hall Hall Road Great Bromley

Development: Variation of condition 2 of approved application 17/01706/FUL to reflect minor alterations to the siting and depth of the proposed utility room.

1. Town / Parish Council

Great Bromley Parish Council
14.10.2020

Great Bromley Parish Council had no objection to the application.

2. Consultation Responses

Not Applicable

3. Planning History

17/00596/FUL	Proposed erection of 2no. two and a half storey detached dwellings.	Refused	08.06.2017
17/01706/FUL	Erection of detached four bedroom dwelling with single storey double garage.	Approved	30.11.2017
20/01220/DISCON	Discharge of conditions 7 (landscaping) and 8 (materials) of approved application 17/01706/FUL.	Approved	30.10.2020

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

EN1 Landscape Character

HG1 Housing Provision

HG9 Private Amenity Space

HG14 Side Isolation

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL3 The Rural Landscape

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities 'Garden Communities' proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector's advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can

carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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 (which applies until such time that the figures in the new Local Plan are adopted).

In addition, the actual need for housing (as set out in the emerging Local Plan) 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, as recently endorsed by the Local Plan Inspector. Therefore, in weighing the benefits of residential development against the harm, the Inspector's endorsement of the lower housing requirement figure is a strong material consideration which tempers the amount of weight that can reasonably be attributed to the benefit of additional new housing to address the perceived shortfall – given that, against the Local Plan housing requirement there is, in fact, a surplus of supply as opposed to a shortfall.

5. Officer Appraisal (including Site Description and Proposal)

Site Context

The application site relates to land adjacent to Grange Hall, Hall Road, Great Bromley. The application site is located on the northern side of Hall Road and to the west of Grange Hall.

Planning History

Planning permission was granted under planning reference 17/01706/FUL for the erection of a detached four bedroom dwelling with a single storey double garage.

Description of Proposal

This application seeks to vary the application 17/01706/FUL reflect minor alterations to the siting and depth of the proposed utility room.

Assessment

The main considerations in this instance are;

- Principle of Development;
- Scale, Layout and Appearance;
- Residential Amenities;
- Other Considerations

Principle of Development

The principle of residential development has been established through the planning history of the site most recently application 17/01706/FUL which this application seeks to vary.

The proposed variation is for a small design amendment and does not alter the number or scale of residential development on the site.

Scale, Layout and Appearance

The proposed amendment is relatively minor and does not materially alter the scale, design or appearance of the development. The approved utility to the western side of the dwelling will be set back further from the highway and will also be extended to incorporate a W.C. Although visible to the street scene, due to the single storey nature as well as the mono pitched roof, the proposal is not considered to cause any significant impact to the visual amenity.

Overall the appearance of the development will remain as already approved.

Residential Amenities

Due to the single storey nature of the proposal as well as the distance to the neighbouring boundaries the amendments are not considered to cause any harm to neighbouring amenities.

Other Considerations

Great Bromley Parish Council have no objection to this application.

No letters of representation have been received.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of 30th November 2020.

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:

- Floor Plans - Scanned 09 September 2020
- Front and Rear Elevations - Scanned 09 September 2020
- Side Elevations - Scanned 09 September 2020
- Drawing No. 3009 -Site Layout Plan

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

- 3 Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres in both directions,

as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason - To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety

- 4 Prior to occupation of the development the vehicular turning facilities as approved under planning application 17/01706/FUL shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason - To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety

- 5 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

- 6 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 in the interest of highway safety

- 7 The development shall be carried out in accordance with the details submitted within drawing no. 3009 - Landscaping Plan scanned 08 September 2020 under planning application 20/01220/DISCON unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the approved landscaping scheme is implemented in the interests of visual amenity.

- 8 The development shall be carried out in accordance with the details submitted within the 'Cover Letter Outlining Materials' scanned 08 September 2020 under planning application 20/01220/DISCON unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of visual amenity.

- 9 Notwithstanding the provisions of Article 3, Schedule 2 Part 1 Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no provision of buildings, extensions, enclosures, swimming or other pool shall be erected except in accordance with drawings showing the design and siting of such building(s) which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - To retain control over the development of the site in the interests of neighbouring residential amenity and to ensure the property maintains an appropriate amount of private amenity space.

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