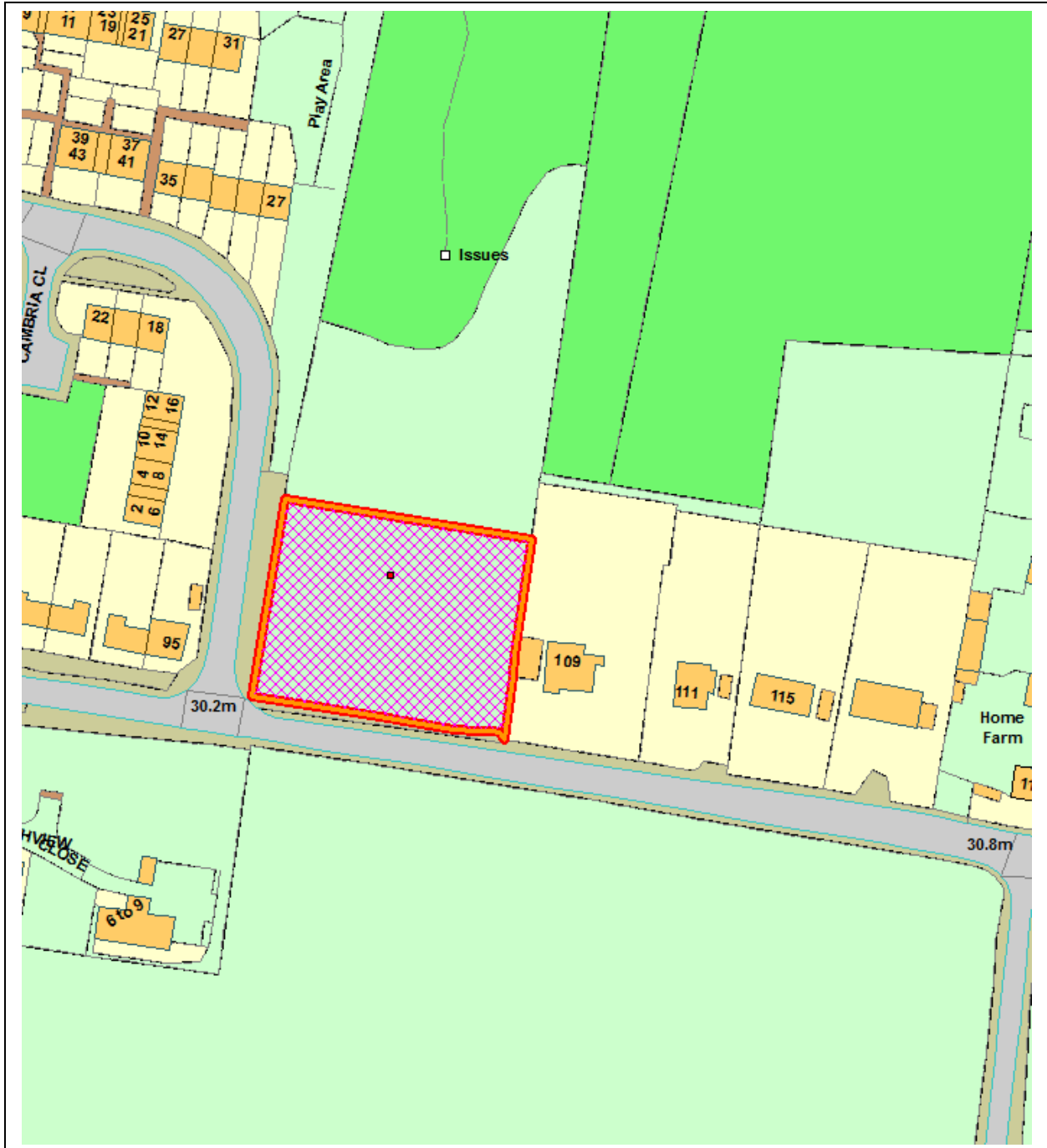


PLANNING COMMITTEE

4TH JANUARY 2017

REPORT OF THE HEAD OF PLANNING

A.7 PLANNING APPLICATION - 16/01442/DETAIL - LAND ADJACENT 109 HARWICH ROAD, MISTLEY, CO11 2DN



DO NOT SCALE

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Application:	16/01442/DETAIL	Town / Parish: Mistley Parish Council
Applicant:	Mr Rose - Rose (Builders) Properties Ltd	
Address:	Land Adjacent 109 Harwich Road, Mistley, CO11 2DN	
Development:	Reserved matters application relating to the erection of 4 new dwellings and associated works.	

1. Executive Summary

- 1.1 Outline planning permission (all matters reserved) was granted at Planning Committee OF 6 January 2015, for four dwellings under 14/01462/OUT. The current application for reserved matters approval relates to all of the reserved matters.
- 1.2 In accordance with Members' request the current application is before Members seeking consent with regard to the reserved matters of scale, layout, appearance, access and landscaping.
- 1.3 The site lies outside the defined settlement boundary of the saved Local Plan but within the settlement boundary of the draft Local Plan. The principle of residential development has been accepted by the granting of outline planning permission.
- 1.4 The site is accessed from Harwich Road with a private drive serving the 4 frontage plots. The scheme retains the substantial hedge to the western boundary, and the lower front boundary hedge.
- 1.5 The design, siting and scale of the proposed dwelling is considered acceptable with no material harm to visual or residential amenity, or highway safety. The application is therefore recommended for approval.

Recommendation: Approve

Conditions:

1. Dev in accordance with approved plans
2. Scheme to be submitted for treatment of rear (northern) boundary
3. Timescale to be agreed for implementation of landscaping
4. Vehicular parking/turning to be provided before occupation
5. Vehicle hardstanding to be 2.9m x 5.5m minimum, and retained in perpetuity

2. Planning Policy

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

- QL1 Spatial Strategy
- QL2 Promoting Transport Choice
- QL9 Design of New Development
- QL11 Environmental Impacts and Compatibility of Uses
- HG1 Housing Provision
- HG3 Residential Development Within Defined Settlements
- EN1 Landscape Character
- EN5A Area Proposed as an Extension to the Suffolk Coasts and Heaths AONB
- TR1A Development Affecting Highways
- TR7 Vehicle Parking at New Development
- COM6 Provision of Recreational Open Space for New Residential Development

Tendring District Local Plan 2013-2033 and Beyond Preferred Options Consultation Document (July 2016)

- SP1 Presumption in Favour of Sustainable Development
- SP2 Meeting Housing Needs
- SP5 Place Shaping Principles
- SP6 Spatial Strategy for North Essex
- SPL1 Managing Growth
- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- LP1 Housing Supply
- LP2 Housing Choice
- LP3 Housing Density and Standards
- LP4 Housing Layout
- PPL3 The Rural Landscape
- PPL4 Biodiversity and Geodiversity

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF 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 216 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 14th July 2016, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Preferred Options Consultation Document. As this plan is currently at an early stage of preparation, some of its policies can only be given limited weight in the determination of planning applications, but the weight to be given to emerging policies will increase as the plan progresses through the later stages of the process. 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 216 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.

3. Relevant Planning History

14/01462/OUT	The erection of 4 new dwellings and associated works.	Approved	26.06.2015
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4. Consultations

ECC Highways Dept	This Authority has assessed the highway and transportation impact of the proposal and does not wish to raise an objection to the above application subject to the following:
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- Prior to commencement/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 45 metres to both the East and West, 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 in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- Prior to occupation of the development the vehicular parking and turning facility, as shown on the submitted plan 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 in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- 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 in accordance with

policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- No works shall commence until a detailed sustainable transport mitigation package has been submitted to and agreed, in writing by, the Local Planning Authority. This package will provide information on how the applicant proposes to mitigate any increase in private vehicular use associated with the development and will include appropriate information on all sustainable transport modes including bus and rail travel, cycling, walking (including the local Public Rights of Way network), taxi travel, car sharing and community transport in the vicinity of the site. The package shall thereafter be implemented as agreed for each individual dwelling and/or premises within 14 days of the first beneficial use or occupation of that unit.

Reason: In the interests of mitigating the impact of the approved development by seeking to reduce the need to travel by private car through the promotion of sustainable transport choices.

Note: Essex County Council as Highway Authority can assist in the production of appropriate material as packs of information are available for purchase by the developer. Contact the Sustainable Travel Planning team on 01245 436135 or email travelplanteam@essex.gov.uk for more information.

INF01 Highway Works - All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to 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:

Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester, CO4 9YQ.

INF02 Cost of Works - 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.

Tree & Landscape Officer The retention of the existing boundary hedgerow on the western boundary of the site, adjacent Stourview Avenue and the new planting on the southern boundary adjacent Harwich Road are key elements of the development proposal.

The information provided on drawing no16.1997.01 relating to the soft landscaping of the site adequately demonstrates that the development can be assimilated into its setting.

5. Representations

- 5.1 Mistley Parish Council - Supports the application but with 2 reservations:
- (1) Inclusion of a pedestrian access from the development to the pedestrian footways at the corner of Stourview Avenue and Harwich Road; and,
 - (2) Provision of a streetlight at the development.
- 5.2 No neighbour representations have been received.

6. Assessment

The main planning considerations are:

- Principle of Development
- Design
- Highway Safety
- Residential Amenity

Site Location

- 6.1 The site is to be accessed directly from Harwich Road (where an agricultural access currently exists) and the land is generally open grassland with a front boundary hedge, along with a substantial hedgerow along the western (side) boundary to Stourview Avenue.
- 6.2 The site forms part of a larger field, although only the frontage gained outline permission, as the road here is linear in nature.

Proposal

- 6.3 The application seeks reserved matters approval for the development of 4 detached dwellings and 2 paired garages, which were granted outline planning permission under 14/01462/OUT.
- 6.4 The proposed dwellings are in frontage form, but set-back behind a private drive with turning head. Each dwelling would have a garage (built as 2 pairs with drives between the houses) and several parking spaces. All the dwellings are 4 bed roomed detached houses, the central units being double-fronted with feature bay windows, and the end units are narrower. All have chimney stacks.

Principle of Residential Development

- 6.5 The site lies outside the defined settlement boundary of the saved Local Plan but within the settlement boundary of the draft Local Plan. The principle of residential development has

been accepted by the grant of outline planning permission. Consideration under this application is therefore limited to only the reserved matters of scale, layout, appearance, access and landscaping.

Design

- 6.6 The proposed two storey dwellings would be located to the rear of the access drive, and they are an attractive design incorporating design features including chimney stacks, feature bay windows, and a mix of brick and brick/half render.
- 6.7 The dwelling would have small front gardens and substantial gardens to the rear significantly in excess of the minimum 100 square metres required by saved policy HG9. Subject to the recommended conditions it is considered that the siting of the proposed dwelling is acceptable. The front and side hedgerow boundary is to be strengthened with additional planting. No details are given in relation to the rear boundary.
- 6.8 The height, mass and detailed design of the dwellings, including the front elevation incorporating bay windows is appropriate for this site within the new A.O.N.B. The dwellings would retain sufficient spacing to the side boundaries of their plots as to not appear cramped and to safeguard the semi-rural character of the locality.

Highway safety

- 6.9 Harwich Road is straight at this point, and the shared access – positioned as far as possible from the nearby junction – will not create any adverse highway safety conditions.
- 6.10 The Highway Authority has no objection to the proposal.
- 6.11 The proposal includes a new footway across the front of the site, as requested by the Parish Council, although the highway authority has not requested street lighting, which would be difficult to justify, and wasn't considered to be necessary at the outline stage. The proposal provides sufficient off street parking to meet the needs of the dwellings. Subject to appropriate conditions, the proposal would be acceptable in highway safety terms.
- 6.12 An amended plan indicates a wheelie-bin dwelling area near to the access point for bin-storage on collection days.

Residential Amenity

- 6.13 Due to the siting of the proposed dwellings and the space between any surrounding dwellings there would not be any adverse impact upon future residents in respect of loss of light/outlook. Furthermore, the substantial side hedge offers some separation from dwellings on Stourview Avenue. As such there would be no loss of privacy or amenity issues for neighbouring residents.

Background Papers

None.