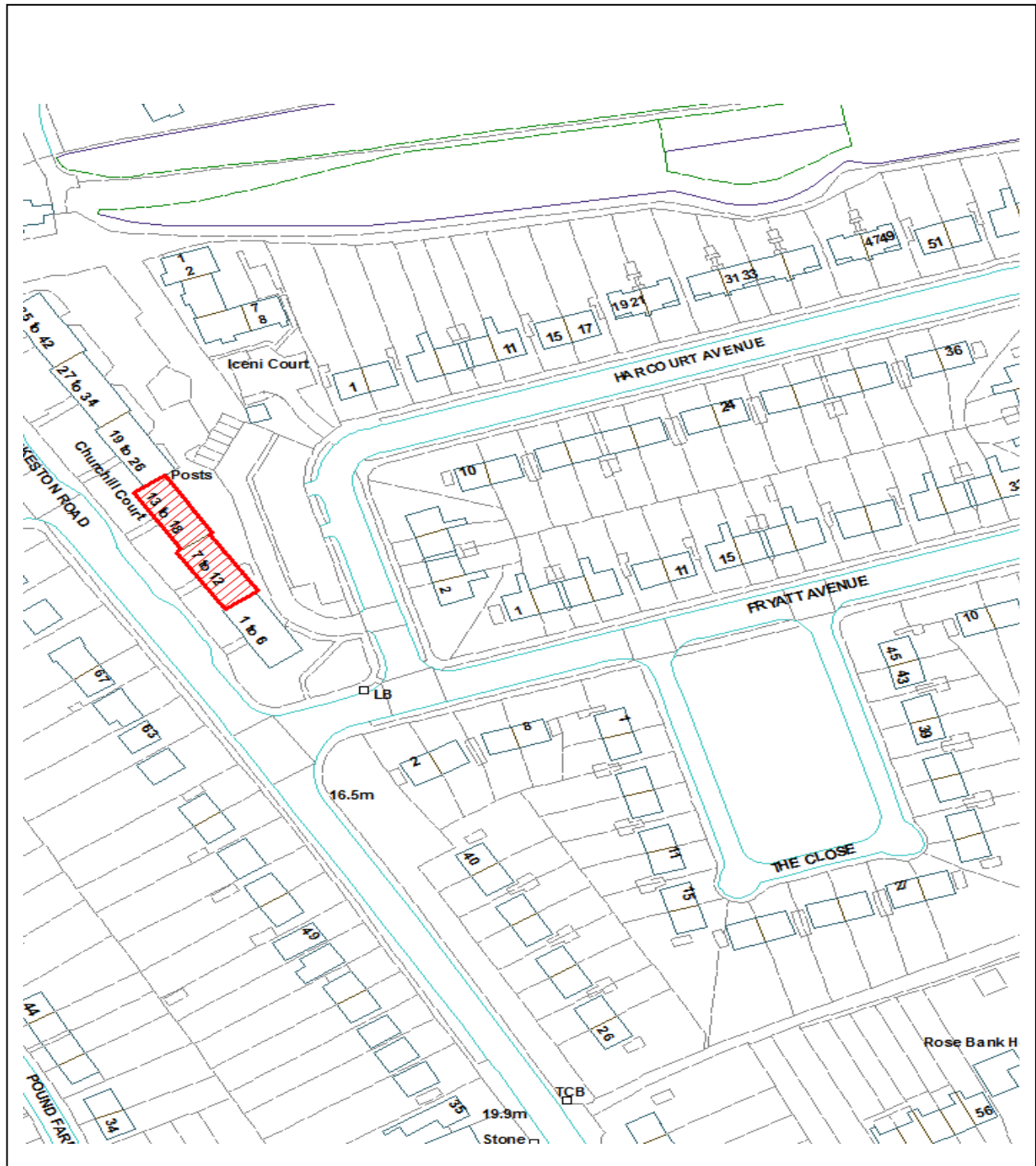


PLANNING COMMITTEE

31 January 2017

REPORT OF THE HEAD OF PLANNING

A.4 PLANNING APPLICATION - 16/01946/FUL - CHURCHILL COURT, PARKESTON ROAD, DOVERCOURT, CO12 4NU



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Application:	16/01946/FUL	Town / Parish: Harwich Town Council
Applicant:	Mr Barry Eldridge -Tendring District Council	
Address:	Churchill Court Parkeston Road Dovercourt	
Development:	Removal of existing under croft garages and conversion of these spaces into a one bedroom two person fully accessible residential unit and a community liaison office and storage.	

1. **Executive Summary**

- 1.1 The application is before the Planning Committee and Tendring District Council is the owner and applicant.
- 1.2 The application proposes alterations to the front and rear elevations at ground floor level with the conversion of the existing garages below numbers' 7 to 18 Churchill Court. The garage doors will be replaced with new windows and doors as required and will accommodate a fully accessible 1 bedroom flat and a community liaison office with the remainder of the space being converted into small storage units to serve the residential units.
- 1.3 Subject to imposition of the conditions recommended below the proposal is not considered to result in any material harm to visual or residential amenity or highway safety. Approval is therefore recommended.

Recommendation: Approve

Conditions:

1. Time Limit
2. Approved Plans
3. Restrict Working Hours

2. **Planning Policy**

NPPF National Planning Policy Framework
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
- HG3 Residential Development Within Defined Settlements
- HG9 Private Amenity Space
- TR7 Vehicle Parking at New Development

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

- SPL1 Managing Growth
- SP1 Presumption in Favour of Sustainable Development
- SPL2 Settlement Development Boundaries

SPL3 Sustainable Design
 LP2 Housing Choice
 LP4 Housing Layout
 CP2 Improving the Transport Network

Local Planning Guidance
 Essex County Council Car Parking Standards - Design and Good Practice

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

10/01470/FUL	Demolition of existing garages and associated works.	Approved	09.03.2011
13/00647/FUL	Increase parking to include 7 no. additional parking spaces, new external bin store, increased play area and new security fence and new CCTV system.	Approved	22.07.2013
14/00061/DISCON	Discharge of conditions 03 (playground layout), 04 (CCTV Plan), 06 (Planting Plan) and 07 (Level)S of planning permission 13/00647/FUL - For Information Only	Approved	03.02.2014

4. Consultations

Building Control and Access Officer The office WC should be an accessible WC.

Environmental Health In order to minimise potential nuisance to nearby existing residents caused by construction works, Pollution and Environmental Control ask that the following is conditioned;

Prior to the commencement of any construction works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from, the Pollution and Environmental

Control.

Noise Control

- 1) The use of barriers to mitigate the impact of noisy operations will be used where possible.
- 2) No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.
- 3) The selection and use of machinery to operate on site, and working practices to be adopted will as a minimum requirement, be compliant with the standards laid out in British Standard 5228:2014.
- 4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
- 5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Pollution and Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.
- 6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

Emission Control

- 1) All waste arising from the ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.
- 2) No materials produced as a result of the site development or clearance shall be burned on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.
- 3) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

ECC Highways Dept
ORIGINAL COMMENTS

This Authority has assessed the highway and transportation impact of the proposal and would wish to raise an objection to the above application for the following reasons:

Insufficient information has been provided by the applicant and therefore a meaningful assessment of the potential impact of the proposal cannot be made.

It would appear that a total of nine garages are to be removed from the parking facilities but no information has been provided covering either;

1) How the occupant vehicles are to be housed elsewhere on the site, or

2) A full parking survey of the surrounding residential roads providing confirmation that the existing on street parking facilities can accommodate the nine vehicles without creating conflict or parking stress with existing residents.

On receipt of additional appropriate information further assessment can be made.

ECC Highways Dept
AMENDED COMMENTS

Having now been presented with additional information regarding the use of the garages, this Authority has assessed the highway and transportation impact of this proposal, removes the previously supplied objection, and raises no objection as it is not contrary to the following policies:-

A) Safety - Policy DM1 of the Highway Authority's Development Management Policies February 2011

B) Accessibility - Policy DM9-12 of the Highway Authority's Development Management Policies February 2011

C) Efficiency/Capacity - Policies DM13-15 of the Highway Authority's Development Management Policies February 2011

D) Road Hierarchy - Policies DM2-5 of the Highway Authority's Development Management Policies February 2011

E) Parking Standards - Policy DM8 of the Highway Authority's Development Management Policies February 2011

INF1 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.

INF2 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.

5. **Representations**

5.1 Harwich Town Council has no objection to the application.

5.2 No other letters of representation have been received.

6. **Assessment**

The main planning considerations are:

- Principle of Development
- Design and Visual Impact
- Residential Amenities
- Parking Provision

Principle of Development

- 6.1 The application site is within the Settlement Development Boundary of Harwich. Policy HG3 of the Saved Plan states that 'within the defined development boundaries of towns and villages, development will be permitted providing it satisfies amenity, design, highway, local housing needs and sustainability criteria, as appropriate, and can take place without material harm to the character of the local area'.
- 6.2 The introduction on an additional flat within this block of existing residential properties does not raise any sustainability concerns with access to a convenience store and other amenities being in close proximity.
- 6.3 The fully accessible residential accommodation and community liaison office will contribute positively to the housing need and other needs of the area.
- 6.4 Therefore, there is no principle objection to the development subject to the acceptability of the detailed considerations below.

Design and Visual Impact

- 6.5 The proposed alterations are to the ground floor level of the building. Due to the change in site levels the external alterations to the building will not be overly prominent from the rear and even less visible fronting Parkeston Road.
- 6.6 The existing garage doors will be removed and the openings reduced to receive new windows and doors which will be of a similar scale and appearance to the existing building facade. The infill around the windows will be rendered to match the existing.
- 6.7 Overall, the alterations to the building are minor and will not result in any harm to visual amenity or the character of the area.

Impact on Neighbouring Amenities

- 6.8 There is considered sufficient communal amenity areas to serve the resultant number of dwellings strengthened by the creation of the new storage areas proposed in the currently unused garages.
- 6.9 There will be no harm material harm to neighbouring amenities resulting from the new flat or community liaison office given the location above and adjacent to existing residential units.

Parking Provision

- 6.10 A disabled parking bay will be provided adjacent to the entrance of the new flat together with a parking space to serve the community liaison office.

- 6.11 The garages to be lost as a result of the development are undersized and do not meet the current requirements of the Council's adopted parking standards. Existing residents no longer use these garages and the new parking areas provided through application 13/00647/FUL were in preparation for this application and compensate for the loss of the existing garages.
- 6.12 The creation of storage areas for the residents further compensate for the loss of the garages by providing additional secure storage.
- 6.13 The parking provision is therefore considered adequate and Essex County Council Highway Authority raise no objection to the development.

Background Papers

None