

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DB	26.01.2022
Planning Development Manager authorisation:	AN	27/01/22
Admin checks / despatch completed	CC	28.01.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	28/01/2022

Application: 21/01959/FULHH **Town / Parish:** Clacton Non Parished

Applicant: Mr Vincent Kelly

Address: 30 Munnings Drive Clacton On Sea Essex

Development: Proposed new dropped kerb vehicular crossing (off Crome Road) and 6 foot high fencing positioned 1 metre from boundary.

1. Town / Parish Council

N/A

2. Consultation Responses

ECC Highways Dept
07.01.2022

The information that was submitted in association with the application has been fully considered by the Highway Authority. No site visit was undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material, google earth image dated October 2012. The proposal is located within a residential area and is situated off a local road. The proposal retains adequate room and provision for off-street parking for the existing dwelling and it is noted that the proposed fence is to be set back by 1 metre, minimum from the back of the footway, to retain a 4.5 metre set back at the junction of Crome Road for the visibility splay, considering these factors:

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. As indicated on drawing no. 01, a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

Reason: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety in accordance with policy DM1.

2. The new vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be more than 3.6 metres (equivalent to 4 drop kerbs), shall be retained at that width for

5.5 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge.
Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1.

3. No unbound material shall be used in the surface treatment of the vehicular access throughout.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

4. There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1.

5. The existing vehicular access at (off Munnings Drive) shown on the site plan, existing and proposed block plan (DWG. no. 01) shall be suitably and permanently closed incorporating the instatement to full height of the highway verge / footway / kerbing immediately the proposed new access is brought into first beneficial use.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety in accordance with policy DM1.

6. The proposed new boundary fence shall be placed a minimum of 1 metre back from the back of footway.

Reason: To provide adequate inter-visibility between users of the public highway in the interests of highway safety in accordance with policy DM1.

7. 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 in accordance with Policy DM8.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative:

1: 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

2: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area, it covers, and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

3. Planning History

17/01263/FUL	Single storey side and rear extensions following demolition of conservatory.	Approved	26.09.2017
20/30098/PREAPP	Move fence to boundary line.	Refused	26.08.2020
20/01751/FUL	Proposed 6m high fencing positioned 1.5m from boundary, with Laurel hedging in front.	Approved	08.02.2021
21/01959/FULHH	Proposed new dropped kerb vehicular crossing (off Crome Road) and 6 foot high fencing positioned 1 metre from boundary.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond Section 1 (adopted January 2021)

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 Sustainable Design

Status of the Local Plan

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

In relation to housing supply:

The Framework requires Councils 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 of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, to account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible or if housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, Paragraph 11 d) of the Framework requires granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole (what is often termed the 'tilted balance').

The Local Plan fixes the Council's housing requirement at 550 dwellings per annum. On 19 October 2021 the Council's Strategic Housing Land Availability Assessment (SHLAA) updated the housing land supply position. The SHLAA demonstrates in excess of a six-and-a-half-year supply

of deliverable housing land. On 14 January 2022 the Government published the Housing Delivery Test (HDT) 2021 measurement. Against a requirement for 1420 homes for 2018-2021, the total number of homes delivered was 2345. The Council's HDT 2021 measurement was therefore 165%. As a result, the 'tilted balance' at paragraph 11 d) of the Framework does not apply to applications for housing.

5. Officer Appraisal (including Site Description and Proposal)

Proposal

Proposed new dropped kerb vehicular crossing (off Crome Road) and 6 foot high fencing positioned 2 metre from boundary. Amended plans were sought to ensure the proposed fence was located further back from the boundary, with the addition of laurel hedging as present within the previous approval 20/01751/FUL. This report will therefore relate to plan 01 Rev B.

Application Site

The application site is located on the corner of Crome Road and Munnings Drive and houses a detached dwelling located within the development boundary of Clacton on Sea. The site serves a single storey dwelling constructed of exposed brickwork with a pitched concrete tiled roof. Neighbouring dwellings feature a similar scale and design, with common finishing materials being buff brickwork. There is off-street parking for one vehicle to the front of the garage.

Assessment

Design and Appearance

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 Policy SPL3 aims 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.

The proposed fence will enclose the side and rear of the property, measuring 1.8 metres high and being located a minimum of 1.9 metres from the boundary to ensure the visibility splay from Crome Road is preserved. The laurel hedging to the front of the proposed fencing will soften the appearance and ensure it preserves the visual amenity of the site.

The proposed dropped kerb to the south of the dwelling from Crome Road, would measure a width of 4 kerbs and provide access to two additional off street parking spaces finished in permeable hardstanding. Whilst the provision of a vehicle space would slightly reduce the visibility of Munnings Drive, a minimum of 1.5 m x 1.5 m pedestrian visibility splay would remain, which is in keeping with the adopted standards.

Impact to Neighbouring Amenities

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 SPL3 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'.

Owing to the limited scale of the proposal, it is deemed to have a negligible impact on the privacy, daylight or other amenities of occupiers of nearby properties.

Highway issues

As the proposal involves the inclusion of a dropped kerb, the highways authority were consulted and provided comments which can be summarised as the following: They were supportive of the proposal and subject to the below outlined conditions, concluded that it would be acceptable in terms of highway safety.

Other Considerations

No other letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

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; Drawing No.

- 01 REVISION B (Received 26th Jan 2022)

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

3. As indicated on drawing no. 01 B, a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

Reason: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety.

4. The new vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be more than 3.6 metres (equivalent to 4 drop kerbs), shall be retained at that width for 5.5 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge.

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.

5. No unbound material shall be used in the surface treatment of the vehicular access throughout.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

6. There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

7. The existing vehicular access at (off Munnings Drive) shown on the site plan, existing and proposed block plan (DWG. no. 01 B) shall be suitably and permanently closed incorporating the instatement to full height of the highway verge / footway / kerbing immediately the proposed new access is brought into first beneficial use.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

8. The proposed new boundary fence shall be placed a minimum of 1 metre back from the back of the footway.

Reason: To provide adequate inter-visibility between users of the public highway in the interests of highway safety.

9. 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.

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.

Highways Informatives

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