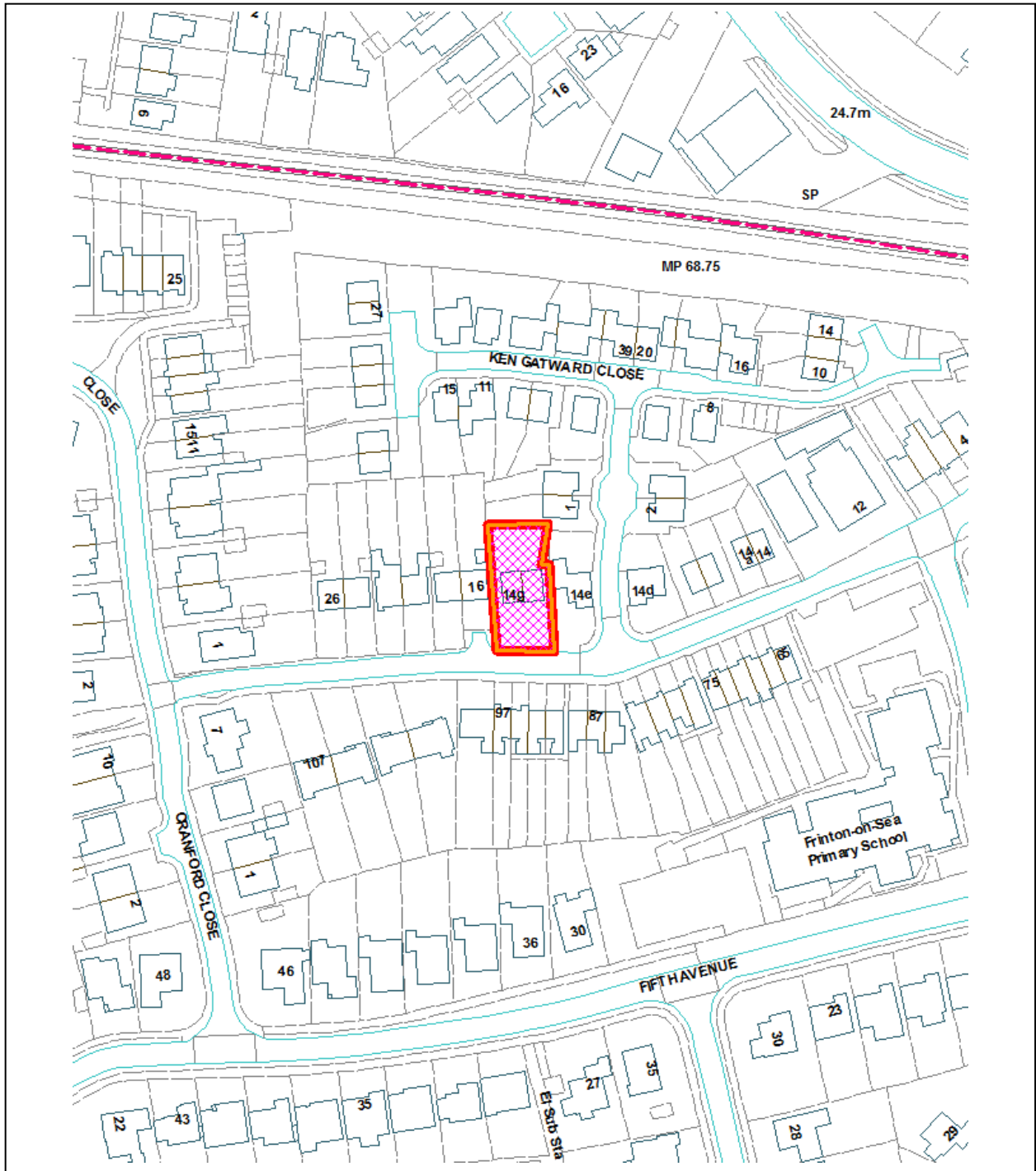


PLANNING COMMITTEE

16 MAY 2017

REPORT OF THE HEAD OF PLANNING

A.5 PLANNING APPLICATION - 17/00502/FUL - 14F WITTONWOOD ROAD, FRINTON-ON-SEA, CO13 9LB



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Application:	17/00502/FUL	Town / Parish: Frinton & Walton Town Council
Applicant:	Mr Stuart McAdam - Persimmon Homes Essex	
Address:	14F Wittonwood Road Frinton On Sea CO13 9LB	
Development:	Erection of two dwellings - (retention of) amendment to that approved under 14/01447/DETAIL	

1. Executive Summary

- 1.1 The application has been 'called-in' to Planning Committee by Cllr Turner who is concerned that, the design is inferior to that was originally approved and what should have been built.
- 1.2 Outline planning permission - 11/00796/OUT - and Reserved Matters Approval - 14/01447/DETAIL were granted on 30.06.2014 and 23.03.2015 respectively.
- 1.3 The development related to the creation of 37 no. two, three and four bedroomed houses, plus associated roads, car parking, landscaping and public open space.
- 1.4 The site lies within the defined settlement boundary of the saved Local Plan and the site was historically used as an overground reservoir (now capped) with associated grounds.
- 1.5 All the relevant conditions were discharged and the development commenced, however 2 plots – a pair of semi-detached houses on the Wittonwood Road frontage – have not been built in accordance with the approved plans, and this application is to regularise the “as-built” situation.
- 1.6 The siting and scale of the proposed dwellings is similar to the approved units, with only the design – principally the external appearance differing from the approved plans, and the changes are considered acceptable to officers 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. Parking to be retained

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
- QL10 Designing New Development to Meet Functional Needs
- QL11 Environmental Impacts and Compatibility of Uses
- HG1 Housing Provision
- HG3 Residential Development Within Defined Settlements
- HG6 Dwelling Size and Type
- HG7 Residential Densities
- HG9 Private Amenity Space
- HG14 Side Isolation
- TR1A Development Affecting Highways
- TR7 Vehicle Parking at New 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

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

11/00796/OUT	Demolition and site clearance of former reservoir and outline planning permission for construction of 37 residential properties (3 units to be for the provision of affordable housing), garages, pergolas, play area and retention of existing protected trees.	Approved	30.06.2014
14/01447/DETAIL	Submission of reserved matters pursuant to outline planning permission 11/00796/OUT for the creation of 37 no. two, three and four bedroom houses, plus associated roads, car parking, landscaping and public open space.	Approved	23.03.2015
14/01644/ADV	1 no. freestanding, non illuminated sales sign.	Approved	06.03.2015
17/00502/FUL	Erection of two dwellings - (retention of) amendment to that approved under 14/01447/DETAIL	Current	

4. Consultations

None Undertaken

5. Representations

- 5.1 Frinton and Walton Town Council: REFUSAL – against the retrospective application; poor design and out-of-keeping with the development. Have not stuck to the assurances given ahead of the development.
- 5.2 One neighbour representation has been received, which states:-
- 5.3 Regarding the above proposed planning application I wish to voice my concern over the fact that my property and my neighbours' property (14F) both have access to a shared drive which has to be kept clear at all times. My concern is that with this proposed building work lorries, vans and cars will be parked on the shared drive thereby restricting my access to and from my property and garage both on foot and in my car.

- 5.4 There will also be noise, dirt and disruption with no indication of how long this work will be going on for.

6. Assessment

- 6.1 As the development relates solely to a change to the elevational treatment of the 2 frontage plots concerned - and the layout/design of those dwellings remains the same – the only issue to consider is whether the as-built development is acceptable in planning terms or not.
- 6.2 In all other respects – layout of the dwellings on the estate, access roads/parking, the open space and the number of dwellings (including affordable units) – remains unchanged, and hence there are no ‘Policy’ implications.
- 6.3 The only consideration is whether the changes to the appearance of the dwellings is acceptable or not.

Site Location

- 6.4 The 2 dwellings concerned (plots 1 and 2) are 2 of the frontage dwellings facing on to Wittonwood Road, and they are adjacent to No 16 Wittonwood Road, an existing pair of semi-detached houses.
- 6.5 The new development along the frontage, consists of the 2 semis the subject of this applicant, 2 pairs of semi-detached houses at the other end of the site frontage, and 2 detached houses situated at each side of the main estate road, that serves a further 29 dwellings served from a modern estate layout.
- 6.6 The site is a modern development to the north of Wittonwood Road (a former reservoir site), and the estate is situated opposite rows of established terraced houses on the south side of Wittonwood Road.
- 6.7 The terraced house opposite the site are a mix of older traditional units, and more recent dwellings, and they are an attractive design with substantial chimney stacks being a feature of the roof-line.
- 6.8 When the estate was designed, there were several different dwelling types, with the Hanbury dwelling type - built as a pair (the Hanbury B) on plots 7/8; 11/12 and 16/17, - with the same design of dwelling built as a terrace (the Hanbury C) on plots 13-15.
- 6.9 The Hanbury B and C types, are a simple design with a lean-to porch on the front, but with simple eaves and ridge detailing.
- 6.10 For Plots 1 and 2 (the application site), a variation of the design (the Hanbury A) was produced, which was basically the same dwelling in terms of its layout and front lean-to porch, but it had embellishments due to it’s prominent road-frontage location, having pitched roof structures with moulded barge-boards above the upper-floor main bedroom windows and a ‘mock’ chimney stack on the ridge.
- 6.11 The developer has not constructed the special Hanbury ‘A’ type on the plots concerned, and has instead built the dwelling without the chimney stack or the elaborate barge-boards to the pitched roof above the upper windows, which have been provided with a simpler tiled edge instead.

- 6.12 In addition – due to the changes in levels across the site – the pair of dwellings has been constructed with a slight “step” at the party wall, although the ‘finished floor levels’ have been agreed via the discharge of condition process.

Proposal

- 6.13 The proposal is to retain the dwellings in their “as-built” form, which is basically the same house-type as approved, but without the chimney stacks and with the changed detail to the pitched roof detail above the first floor windows.
- 6.14 The changed finished floor level has been approved under the condition discharge approval of ‘levels’ – and the ‘step’ in the ridge and eaves line would have been necessary in any event, even if the dwellings had been built as per the original approval.
- 6.15 The issue to consider is whether the minor changes to the dwellings erected on these 2 plots are acceptable in visual terms, and the key changes are discussed below:-

The Chimney Stacks

- 6.16 The dwellings have been constructed without the chimneys stracks of the ‘approved’ dwellings, which the applicants suggested has come about due to the step in the ground and floor levels, however as these are not a working chimney, and are built off the party wall, there is no technical reason why the stacks could not be provided, although there would have been additional lead-work due to the levels changes.
- 6.17 Chimney stacks are a feature of this part of Wittonwood Road, and the originally approved scheme provided chimney stacks on all of the 2 pairs of semi’s fronting directly on to Wittonwood Road, as this reflected the character of the surrounding properties.
- 6.18 Whilst the loss of the chimney stacks is regrettable, it is noted that the detached houses at the junction of the new estate road and Wittonwood Road, have been approved without chimney stacks and not all of the existing dwellings in the surrounding area have chimneys.
- 6.19 The site is not within a sensitive area – such as a Conservation Area or within the setting of a listed building – where the attention to such details is critical, and would have been fundamental to the acceptability of the scheme.
- 6.20 Whilst the lack of chimney stacks on these 2 units is regrettable, and reduces somewhat the quality of the development, it is not reduced to such a level whereby planning permission could be justifiably refused, particularly as other dwellings on the same frontage and approved along with this estate are not provided with chimney stacks, and not all the existing dwellings have stacks.
- 6.21 The chimney stacks, whilst attractive features which are missing from the current proposal, are not so important as to warrant a refusal of planning permission.

The Window Detailing

- 6.22 The differences between the ‘approved’ dwellings and the as-built dwellings amounts to the treatment of the upper floor windows, and in both instances, a “feature” pitched roof and gable is provided above the upper floor bedroom windows on the front elevation.
- 6.23 On the ‘approved’ plans, the windows were fitted with moulded timber barge-boards, topped with a finial, whereas on the as-built dwellings, the same roof detail is finished with a plain barge-board and the roof-tiles of the dormer feature are of the cloaked-verge design, with a

wrap-over detailing that hides the edge of the roof tiles, and the adjacent detached houses have a similar treatment to their projecting gable.

- 6.24 Due to the non-sensitive nature of the surroundings, it is not considered that this change fundamentally affects the standard of the development, and as the same treatment has been approved on the adjacent dwellings, it would be extremely difficult to argue that such a feature is unacceptable in visual terms.
- 6.25 Whilst the changes to the design of these dwellings is different from the ones previously approved, it can be seen that the changes are not out-of-place and have been approved on other dwellings on the same frontage.
- 6.26 The dwellings as built, whilst not being as originally approved, are never-the-less acceptable in visual terms and as a result, would be difficult to resist.
- 6.27 The development 'as built' remains visually acceptable and is recommended for approval.

Background Papers

None