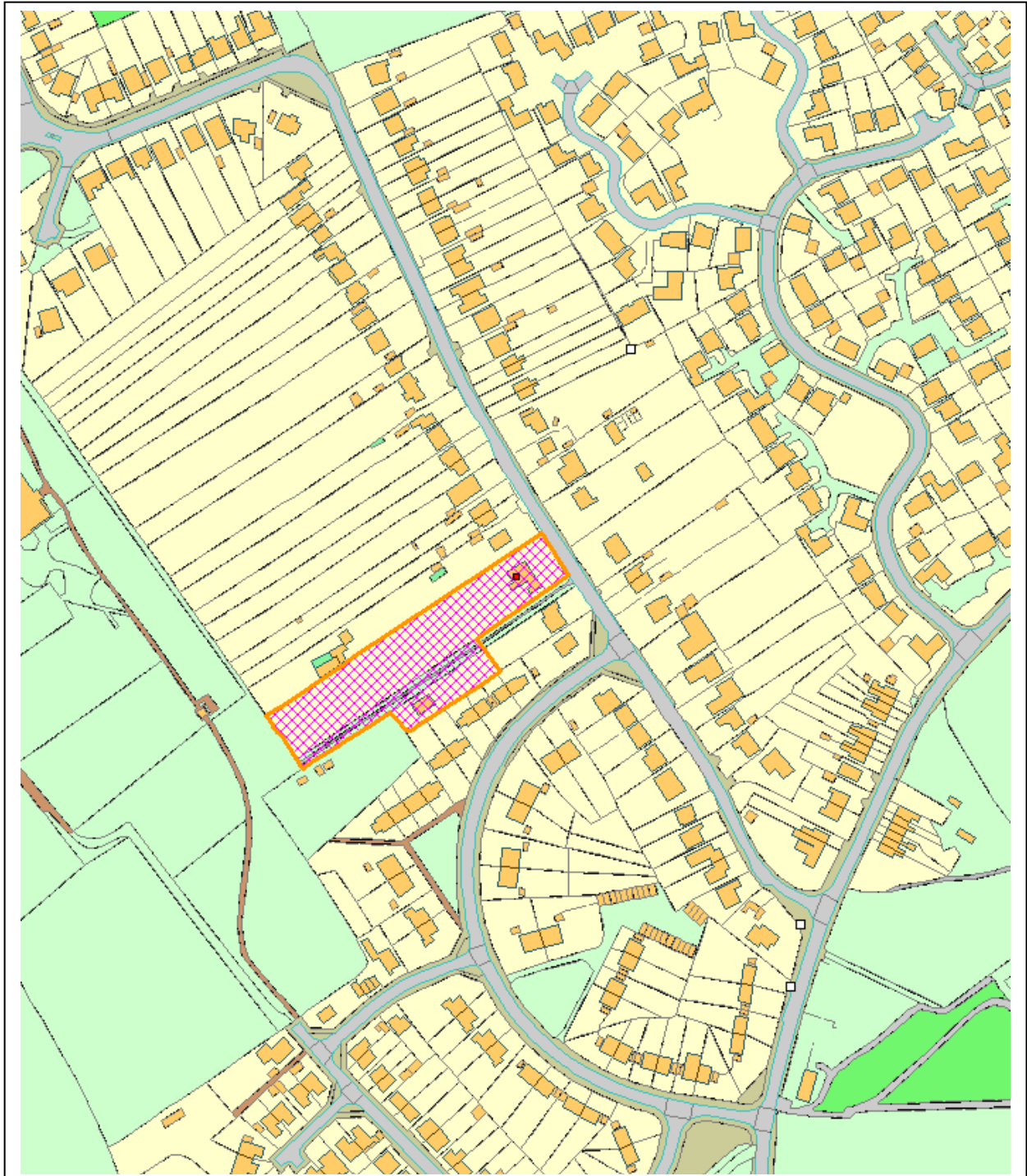


PLANNING COMMITTEE

03 OCTOBER 2017

REPORT OF THE HEAD OF PLANNING

A.2 PLANNING APPLICATION - 17/01150/DETAIL - 21 MAYES LANE, RAMSEY, HARWICH, CO12 5EJ



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Application:	17/01150/DETAIL	Town / Parish: Little Oakley Parish Council
Applicant:	Mr T Palmby - Tocia Properties	
Address:	21 Mayes Lane, Ramsey, Harwich, CO12 5EJ	
Development:	Reserved matters application following outline approval 16/02084/OUT - Alteration of one dwelling and erection of 5 no. bungalows.	

1. Executive Summary

- 1.1 Outline planning permission for the alteration of one dwelling and the erection of 5 dwellings was approved by Planning Committee on 29 March 2017 (16/02084/OUT). The current application is a reserved matters application; however it was clear that the Planning Committee wanted to review the detailed application following the approval of the outline.
- 1.2 In accordance with Members' request the current application is before Members seeking approval for a detailed scheme for the erection of 5 detached bungalows and garages, with a single access point from Mayes Lane to the north-east.
- 1.3 The application site is situated outside of, but adjacent to, the defined settlement development boundary as set out in the Adopted Local Plan (Tendring District Local Plan 2007); but within the boundary in the Draft Plan (Tendring District Local Plan 2013-2033 and Beyond Publication Draft). However, the principle of residential development has been accepted by the granting of outline planning permission, which expires on 4 April 2020.
- 1.4 The design, siting and scale of the proposed dwellings are 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. 3 Year Time limit
2. Approved plans
3. Submission of Construction Method Statement

2. Planning Policy

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG1 Housing Provision

HG7 Residential Densities

HG9 Private Amenity Space

HG13 Backland Residential Development

EN1 Landscape Character

EN6 Biodiversity

EN13 Sustainable Drainage Systems

TR1A Development Affecting Highways

TR4 Safeguarding and Improving Public Rights of Way

TR5 Provision for Cycling

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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP3 Housing Density and Standards

LP4 Housing Layout

LP8 Backland Residential Development

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 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. As this plan is yet to be examined, its policies cannot carry the full weight of adopted policy. However, because the plan has reached publication stage its policies can carry some weight in the determination of planning applications. 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

00/01177/FUL	Proposed single storey rear extension and alterations	Approved	14.08.2000
03/00637/FUL	Convert existing garage to residential and retention of rear conservatory and detached double garage.	Approved	27.05.2003
15/30048/PREAPP	Erection of 14 residential units (bungalows) consisting of 5 x 2 bed and 9 x 3 bed.		13.08.2015
16/00223/OUT	Demolition of one dwelling and erection of residential development of up to 13 houses and bungalows.	Refused	17.06.2016
16/02084/OUT	Alteration of one dwelling and erection of 5 no. bungalows.	Approved	04.04.2017

4. Consultations

Building Control and Access Officer	No adverse comments at this time.
Environmental Protection	Due to the close proximity of the site to residential properties we would request that a full construction method statement is undertaken. Environmental Protection have no comment to make relating to no. 13 – Bin Store and no. 15 – Lights.
Tree & Landscape Officer (Comments 20 July 2017)	The applicant does not appear to have submitted any information relating to condition 7 of 16/02084/OUT to address soft landscaping. This information should be provided prior to the determination of the application.
Tree & Landscape Officer (Comments 9 August 2017)	The information provided by the applicant is sufficient to enable the soft landscaping condition to be discharged.
ECC Highways Dept	Having regard to drawing reference 6026/SK19, and conditions 9, 10,

11, and 12 included in the decision notice for application 16/02084/OUT, the Highway Authority raises no objections to this proposal.

Essex Wildlife Trust No comments received.

Natural England Natural England has no comments to make on this application.

5. Representations

5.1 Little Oakley Parish Council have the following concerns:

- The individual house collections as this will cause a blockage of Mayes Lane for a considerable time whilst individual refuse and recycling bins are collected and returned to their respective properties. Mayes Lane is a very busy road used by both commuters travelling out of the village and parents driving children to Two Village School; and
- Would like to request street lighting lights be LED lights and are adopted by Little Oakley Parish Council.

5.2 No other letters of representation have been received.

6. Assessment

6.1 The main planning considerations are:

- Principle of Development;
- Design;
- Highway Safety;
- Residential Amenity; and
- Protected Species.

Site Context

6.2 The application site is situated on the eastern side of Mayes Lane, within the Parish of Little Oakley. The site currently comprises of a detached bungalow (No. 21 Mayes Lane) and its garden area and part of the rear garden of No. 17 Mayes Lane. It contains some trees and some outbuildings.

6.3 To the north of the site are residential properties that front onto Mayes Lane. These are a mixture of detached and semi-detached properties with long rear gardens. On the other side of the road are dwellings of a similar character. To the south of the site is the remaining garden and property to No. 17 Mayes Lane which is a detached bungalow and properties which front Bay View Crescent, which are also bungalows. To the west of the site is an area of open space at the Two Villages Primary School.

Proposal

6.4 The application seeks planning permission for all reserved matters (namely access, appearance, landscaping, layout and scale) for the alteration to Number 21 Mayes Lane and the erection of five dwellings, following outline permission granted under 16/02084/OUT.

6.5 The proposed dwellings are each to be detached, single storey and will share an access from Mayes Lane to the north-east. Each dwelling will have a garage and parking space and will all serve 3 bedrooms.

Local Plan Status

- 6.6 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 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. As this plan is yet to be examined, its policies cannot carry the full weight of adopted policy. However, because the plan has reached publication stage its policies can carry some weight in the determination of planning applications. 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.

Principle of Residential Development

- 6.7 The principle of residential development has been accepted by the granting of outline planning permission under planning reference 16/02084/OUT, which expires on 4 April 2020. Consideration under this application is therefore limited to the detailed design matters and landscaping.

Design and Layout

- 6.8 The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).
- 6.9 The proposed single storey dwellings would be located to the south-east of Number 21 Mayes Lane, where they will share an access from Mayes Lane.
- 6.10 The single storey designs, which will incorporate gable design features to the side elevation and front canopies, will all measure 5.2 metres in height, 15 metres in depth and between 9.6 to 10.7 metres in width, whilst proposed materials to all include red facing brick and slate roof tile.
- 6.11 The character of the surrounding area across Mayes Lane and Bay View Crescent sees a mixture of detached, semi-detached and terraced properties that are either single storey or two storeys. Against this backdrop, the proposed dwellings are not out of keeping with the surrounding area.
- 6.12 The dwellings would have small front gardens and more substantial garden area to the side and rear, all of which will be in excess of the minimum 100 square metres required by Saved Policy HG9. The siting of the proposed dwellings is also considered to be acceptable.

Highway safety

- 6.13 Essex County Council as the Highway Authority has been consulted on the application and raise no objection to the proposal.

- 6.14 The Council's Adopted Parking Standards require that for dwellings with 2 or more bedrooms that a minimum of 2 parking spaces are required. Parking spaces should measure 5.5 metres by 2.9 metres and garages, if being relied on to provide a parking space, should measure 7 metres by 3 metres internally.
- 6.15 The proposed garages meet the above standards, whilst there is sufficient space to accommodate the necessary additional parking space for each plot.

Residential Amenity

- 6.16 The NPPF, at 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 QL11 of the Saved Plan states that amongst other 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'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).
- 6.17 Due to the siting of the proposed dwellings and the sufficient space between any surrounding dwellings there would not be any adverse impact upon future residents in respect of loss of light/outlook or the dwellings appearing imposing. Furthermore, the single storey nature of the dwellings will ensure there will be no overlooking or loss of privacy.
- 6.18 The proposed site access is situated between two residential properties; one proposed to be altered as part of the development (Number 21) and Number 17. The site access in this location has the potential to result in an adverse impact upon the existing amenities of these neighbouring properties with the comings and goings of vehicles. However, as part of the proposed plans, a 1.8 metre high close boarded fence will separate the access from these properties. In addition, there is a separation distance of approximately 7 metres from the neighbouring property, Number 17 Mayes Lane, to the sites access; this reduces the potential noise impacts and is considered to be an acceptable relationship. Whilst there is only a separation distance of 2 metres from Number 21 Mayes Lane to the sites access, this property is within the applicant's ownership.

Impacts on Trees/Landscaping

- 6.19 Within the original outline permission, 16/02084/OUT, a condition was attached to the decision to secure details of the proposed hard and soft landscaping scheme.
- 6.20 The submitted plans demonstrate that a 1.8 metre high close boarded fence will be used as a boundary treatment across the site, whilst the scheme will be softened with the introduction of hedge planting and grassed areas to the front of the properties. Furthermore, following the submission of amended plans, the level of paving has been reduced to the southern section in order to incorporate additional grass to further soften the scheme.
- 6.21 The Council's Principal Tree and Landscapes Officer has been consulted as part of the process of the application and has stated that the information provided is sufficient to discharge the hard and soft landscaping scheme condition originally imposed under planning permission 16/02084/OUT.

Conclusion

- 6.22 The outline permission established the principle of development of the site for 5 dwellings, and the proposed development meets all other policy considerations.

- 6.23 The land is proposed to be developed in a manner that would add to the mix of dwelling types as advocated by the NPPF and local policy and is an acceptable design which also ensures no significant harm to existing neighbouring amenities.
- 6.24 On balance, the development would not cause any demonstrable harm, and is considered to be a sustainable one, where the benefits of the scheme are not significantly and demonstrably out-weighted by any harmful impacts.
- 6.25 The development is therefore an appropriate one and recommended for approval.

Background Papers

None.