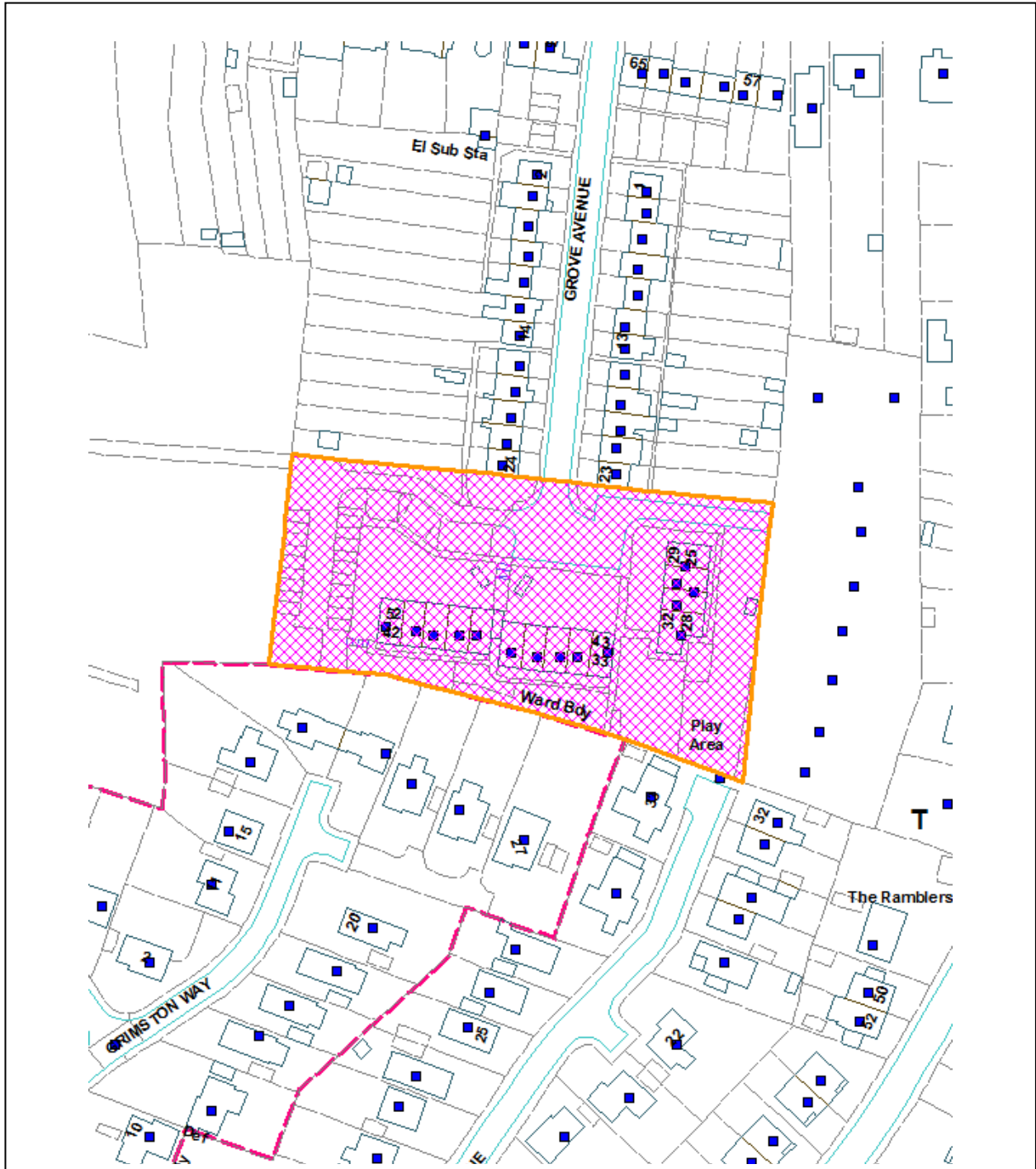


PLANNING COMMITTEE

3 JANUARY 2018

REPORT OF THE HEAD OF PLANNING

A.7 PLANNING APPLICATION – 17/01790/FUL – THE GROVE FLATS, GROVE AVENUE, WALTON-ON-THE-NAZE, CO14 8QX



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Application:	17/01790/FUL	Town / Parish: Frinton and Walton Town Council
Applicant:	Mr Barry Eldridge - Tendring District Council	
Address:	The Grove Flats, Grove Avenue, Walton-on-the-Naze CO14 8QX	
Development:	Replacement of the existing garages, the installation of a new multi-use games area including fencing and floodlights, and general alterations to the external courtyard.	

1. **Executive Summary**

- 1.1 This application is referred to the Planning Committee as the applicant is Tendring District Council.
- 1.2 The application is to replace the existing garages, to install a new multi-use games area including fencing and floodlights, and a number of general alterations throughout the site including a communal garden storage area, a communal waste disposal area, new parking area, raised planters and the planting of new specimen trees.
- 1.3 The proposal will not result in any material harm to residential amenity or highway safety and will result in a slight visual improvement.

Recommendation: Approve

Conditions:

1. Time Limit
2. Approved plans
3. Lighting scheme details
4. Positioning and shielding of light source from floodlighting
5. Surfacing of vehicle parking area
6. Multi-use games area not to be used for any pre-arranged competitive matches
7. Construction method statement
8. Floodlights shall not be used during the hours of 9pm and 8am the following day.

2. **Planning Policy**

National Policy:

National Planning Policy Framework

National Planning Practice Guidance

Local Plan Policy:

Tendring Local Plan 2007

COM4 New Community Facilities (Including Built Sports and Recreation Facilities)

COM21 Light Pollution

- QL9 Design of New Development
- QL10 Designing New Development to Meet Functional Needs
- QL11 Environmental Impacts and Compatibility of Uses
- TR7 Vehicle Parking at New Development

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

- HP5 Open Space, Sports and Recreation Facilities
- SPL3 Sustainable Design

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

00/02110/FUL	Proposed improvements to the existing environment by the introduction of new tenant stores, refuse collection points, new designated car parking areas, childrens play area etc.	Approved	15.02.2001
99/00014/FUL	Erection of 3.0m high security fence adjacent garages	Approved	09.02.1999
99/01747/FUL	Refurbishment of elevations to building by the application of epsicon system of externally applied thermal insulation with rendered and textured finish	Approved	27.01.2000
17/00294/FUL	Replace failing existing external balustrades for stainless steel balustrades with glazing panels and replace existing communal entrance with new aluminium doors	Approved	21.04.2017

and windows.

4. Consultations

Tree & Landscape Officer
(Dated 17th November
2017)

No trees or other significant vegetation will be affected by the development proposal.

There appears to be an opportunity to secure new soft landscaping as part of the proposed improvements to the application site that would both soften and enhance the appearance of the development.

The appearance of the site would be considerably improved by new tree and hedge planting close to the new brick wall with bow-top fencing. The potential benefit of this can be visualized when viewing the plan showing the front elevation highlighting the position and appearance of the new wall.

If a new hedge comprising Portugal Laurel (*Prunus lusitanica*) was to be planted directly adjacent to the wall then it would have a pleasing and softening effect when it reached a height to be seen above the brickwork.

Similarly if approximately 10 specimen trees such as White Barked Himalayan Birch (*Betula utilis 'jaquemontii'*) were to be planted in the grassed area to the front of the flats then this would help to 'break up' views of the blocks of flats

If the plans were amended to show new planting along the lines described above then, in terms of soft landscaping, the development proposal would be acceptable

Tree & Landscape Officer
(Dated 1st December 2017
following the submission
of amended plans)

I am satisfied with the changes to the proposed soft landscaping.

Environmental Protection

Environmental Protection ask that conditions/informatives be added for details relating to the noise control, dust emissions and lighting controls within the scheme.

ECC Highways Dept

This Authority has assessed the highway and transportation impact of the proposal and does not wish to raise an objection subject to the following:

- Prior to the first use of any external lighting / floodlighting within the development site, the light source shall be so positioned and shielded, in perpetuity, to ensure that users of the highway are not affected by dazzle and/or glare, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
- The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been

hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

- Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.
- Any single garages should have a minimum internal measurement of 7m x 3m
- The Multi-Use Games Area shall only be available for use by residents of the Grove Flats and shall not be part of any local league sports facilities.

5. Representations

5.1 Frinton and Walton Town Council support the application.

5.2 There has been no other letters of representation received.

6. Assessment

The main planning considerations are:

- Visual impact
- Residential amenities
- Highways
- Tree and Landscapes

Proposal

6.1 The application seeks planning permission for the demolition of the existing 18 garages to the west of the site, with the installation of new multi-use games area in its place. Five new garages will also be built to the north-west of the site, whilst there will be a number of general alterations within the site, namely;

- Two stepped accesses to the courtyard area;
- Communal garden storage area;
- Additional parking area for up to two parking spaces that will also create turning for refuse collection;
- Additional trees and hedging to the south-east of the site amongst the existing play area;
- Communal waste disposal store, enclosed with brickwork wall and bow top fencing;
- Four raised planters;
- Communal planting wall; and
- The planting of five specimen trees.

Visual Impact

6.2 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).

- 6.3 The proposed works are situated across the site and, due to the sites open nature, will be publically visible, thus having the potential to impact upon the existing street scene. However, the works aim to visually enhance the area; for example the existing garages are in a poor state, whilst the proposed communal planting walls, specimen trees and additional landscaping to the south-east of the site will improve the areas character.
- 6.4 With respect to the proposed multi-use games area, fencing and floodlights, whilst it will be visible and not necessarily in-keeping with the existing areas character, it is well set back within the site, with the fencing being a maximum of 5 metres in height to the southern and northern elevations, and the six floodlights being a maximum height of 6 metres, which will reduce the visual impact.

Impact to Neighbouring Amenities

- 6.5 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).
- 6.6 To the north of the proposal are various residential dwellings, namely Numbers 23 and 24 Grove Avenue, who have the potential to be impacted upon as a result of development, whilst the existing residents of Grove Flats could also be impacted upon. However, the majority of the proposals are relatively minor and will bear no impact to their existing amenities, whilst the residents of Grove Flats will see a small improvement to their existing amenities.
- 6.7 With respect to potential noise concerns from the Multi-Use Games Area, due to sufficient separation distances and that there will be a communal garden storage area in between, this will ensure any noise impacts are reduced.
- 6.8 With regards to the floodlights, the Councils Environmental Protection team have stated they have no objection so long as the selection and installation of the lighting scheme is in accordance with the recommendations as detailed within the submitted Design and Access Statement. However, a condition can be included to ensure full details of the proposed lighting scheme are to be submitted, whilst a condition can be attached to ensure the hours of operation for the floodlights is no later than 21:00 hours.

Highways

- 6.9 Essex County Council as the Highway Authority has raised no objection to the proposal, however suggest conditions relating to the positioning and shielding of the light source from the floodlighting, the surfacing of the vehicle parking area and that the multi-use games area shall only be used for residents of Grove Flats.
- 6.10 The Highways Authority also state that the Multi-Use Games Area should only be available for use by residents of the Grove Flats and shall not be part of any local league sports facilities as there is insufficient parking provision. However, a condition to reflect this would not be enforceable and it is therefore recommended that a condition is attached to ensure there will be no pre-arranged competitive matches instead.

- 6.11 The Council's Adopted Parking Standards state that if being used as a parking space, garages should measure 7 metres by 3 metres internally. The proposed garages meet the above standards.

Impacts on Trees and Landscaping

- 6.12 The proposal includes additional tree and hedge planting to the south-east of the site in order to screen the proposed new development from the existing play area, whilst there will be five specimen trees incorporated. Furthermore, a planting wall and four raised planters have been included within the scheme.
- 6.13 The Council's Principal Tree and Landscapes Officer has stated that following the inclusion of specimen trees within the site, it has resulted in a softening effect of view towards Grove Flats and accordingly raises no objection.

Background Papers

None