

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	24/05/2018
Planning Development Manager authorisation:	AN	6/6/18
Admin checks / despatch completed	SA	06/6/18

Application: 17/01870/DETAIL **Town / Parish:** Tendring Parish Council

Applicant: Mr S Mahajan - Tulip Design & Build Ltd

Address: Land at Stones Green Road Tendring

Development: Residential development of 0.5 ha of land to create 5 detached dwellings with associated garaging and parking.

1. Town / Parish Council

Tendring Parish Council has no objection to this application.

2. Consultation Responses

Building Control and
Access Officer

No adverse comments at this time.

Tree & Landscape Officer

The boundary of the land with the adjacent highway (Stones Green Road) is marked by an established countryside hedgerow comprising primarily Hawthorn with a few young specimen Oak trees.

The northern boundary is marked by a taller hedgerow comprising primarily Blackthorn and Hawthorn. Some of these have grown to the proportions of small trees.

It would appear that the development of the land could take place without the need to remove either hedgerow ' both would provide valuable screening value. Both are shown as retained on the soft landscaping plan.

The soft landscaping plan also appears to show new tree planting (Crataegus) in the front gardens of some of the properties although their proposed planting positions do not appear to have been marked on the plan and a specification for them has not been provided.

If details of the proposed tree planting were to be provided then the soft landscaping details are otherwise acceptable.

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 occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 90 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all

times.

' Prior to occupation of the development the vehicular turning facilities, as shown on the submitted plan shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

' No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

' Prior to the first occupation of the development, the proposed private drive shall be constructed to a width of 5.5 metres and provided with an appropriate dropped kerb crossing of the highway verge to the satisfaction of the Local Planning Authority.

' At no point shall gates be provided at the vehicular access. The access shall remain open and free for use in perpetuity.

' There shall be no discharge of surface water onto the highway.

' Each new property shall be provided with 2 parking spaces and each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

' Any double garages should have a minimum internal measurement of 7m x 6m

3. Planning History

16/01044/OUT	Residential development of 0.5 ha of land to create 5 detached dwellings with associated garaging and parking.	Refused	01.09.2016
17/01870/DETAIL	Residential development of 0.5 ha of land to create 5 detached dwellings with associated garaging and parking.	Current	

4. Relevant Policies / Government Guidance

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

HG9 Private Amenity Space

HG14 Side Isolation

EN1 Landscape Character

EN6 Biodiversity

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL1 Managing Growth

SPL3 Sustainable Design

LP1 Housing Supply

LP3 Housing Density and Standards

LP4 Housing Layout

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

CP1 Sustainable Transport and Accessibility

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. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they 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.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is located on the northern side of Heath Road and to the north-west of Stones Green Road. The site is laid to grass and comprises of a mature hedgerow to its frontage. There is an existing gated access onto Stones Green Road. To the west of the site is a farm holding and to the east on the opposite side of Stones Green Road is a large secure residential institution. To the south is a cluster of buildings comprising of a dwellings, a recently closed public house/restaurant and haulage yard. To the north of the plot is agricultural land.

Proposal

The planning application seeks approval of the reserved matters relating to outline permission 16/01044/OUT (allowed on appeal via ref - APP/P1560/W/16/3165144) concerning the erection of 5 no. x 4 bedroom dwellings.

The matters reserved for consideration are layout, scale, landscaping, access and appearance.

The development will be served by a single access point from Stones Green Road at the eastern end of the site. The private drive would sit behind the existing mature hedgerow present to the highway frontage.

All 5 properties will be served by a private garden area comfortably in excess of the minimum 100 square metres required by Saved Policy HG9 of the adopted Tendring District Local Plan (2007).

All 5 properties will be served by at least 4 parking spaces in the form of garaging and parking spaces in front in line with the current Parking Standards.

The proposed site layout plan shows the retention of the mature hedgerow to the site frontage aside from the widened access and visibility splays and additional planting in the form of new tree planting on the Heath Road frontage and further tree/shrub planting to the front of each property. Low level black metal railings are also proposed to enclose the frontage of each dwelling.

Appraisal

Visual Amenity/Design

The development of the site with 5 dwellings in a linear style following the highway bend represents an appropriate response to the character of the area. The introduction of a comprehensive soft landscaping scheme including the retention of existing planting and new tree/shrub planting to the front of the site will help in softening views of the development from surrounding vantage points and will assist in assimilating the development into its semi-rural surroundings. The planting to the rear boundary of the site is to be retained and protected during the construction phase by protective fencing. The retention of this planting ensures that the development retains a sympathetic frontage to the open countryside to the north.

In respect of the design of the dwellings, the submitted plans show chalet style properties comprising of a mixture of 2 dwelling types. The dwelling types would consist of properties the same size but one with a timber clad central gable feature. The dwellings would consist of traditional materials in the local vernacular including render, multi-red brickwork and timber cladding. The character of the area is mixed with a variety of dwelling types and agricultural buildings in the vicinity all comprising of differing materials. As such the approach taken is considered to represent an appropriate response to the semi-rural character of the area. In addition the dwellings are arranged in a spacious manner retaining sufficient side isolation as to not appear cramped.

Overall the development would relate acceptably to the character of the area in terms of its layout, spacing and design and with the introduction of soft landscaping, the development would represent an appropriate response to its surroundings.

Residential Amenities

The proposed dwellings are sufficiently separated from those properties to the south on Heath Road behind an intervening hedgerow. Therefore the development would not cause any harm to existing resident's amenity in terms of outlook, light deprivation and privacy. To the east of the site is a secure residential institution that would not be harmed by the development due to the degree of separation and the presence of mature vegetation present on the facing boundary.

Highway Considerations

Essex County Council Highways have no objections to the proposed access providing; sufficient visibility splays are provided (2.4m x 90m), the turning facilities are provided prior to first occupation, no unbound materials are used in first 6m of access, the access is constructed at 5.5m wide, no gates are erected at site access and no surface water is discharged to the highway.

These will be secured via condition. The visibility splays are achievable, subject to the slight trimming back of the frontage hedge, due to the grass verge present adjacent to the carriageway.

Ample parking provision is provided within the site to accommodate future resident's and visitor's parking needs.

Landscaping/Biodiversity

As confirmed above, the development proposes the retention of the majority of the frontage hedge and additional planting in the form of new trees and shrub planting to the front of the properties. The plans originally submitted showed planting but specification. Consequently, a detailed hard and soft landscaping has been provided which the Council's Landscaping Officer confirms is acceptable as it will assist in providing added biodiversity benefits along with assimilating the development into its surroundings.

An ecological enhancement scheme will be sought via condition securing the provision of bird and boxes throughout the development.

Other Considerations

The Council's Building Control Team have no comments. Tendring Parish Council has no objections to the development. No further letters of representation have been received.

6. Recommendation

Approval

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

- AD/2017/017/06 REV A
- AD/2017/017/04 REV A
- AD/2017/017/03 REV A
- AD/2017/017/05 REV A
- ADEU 521/2-003
- ADEU 521/2-002
- ADEU 521/2-001

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

- 2 Before any development commences a detailed ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme, which

shall include the provision of bat and bird boxes and a timetable for its implementation, shall be implemented in accordance with the approved works before occupation of the hereby approved development.

Reason - To preserve and enhance the biodiversity of the site.

- 3 The approved scheme of landscaping shown on drawing nos. ADEU 521/2 - 003 & ADEU 521/2 - 002, shall be implemented no later than the first planting season following commencement of the development (or within such extended period or phased arrangement as the Local Planning Authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason - To ensure the effective implementation of the approved landscaping scheme, in the interests of visual amenity.

- 4 Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 90 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason - To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety.

- 5 Prior to occupation of the development the vehicular turning facilities, as shown on the submitted plan shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason - To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

- 6 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

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

- 7 Prior to the first occupation of the development, the proposed private drive shall be constructed to a width of 5.5 metres and provided with an appropriate crossing of the highway verge to the satisfaction of the Local Planning Authority.

Reason - To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety.

- 8 At no point shall gates be provided at the vehicular access. The access shall remain open and free for use in perpetuity.

Reason - To give vehicles using the access free and unhindered access to and from the highway in the interest of highway safety.

- 9 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.

8. Informatives

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 Business Park, Colchester CO49YQ

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.

Site Workers - Steps should be taken to ensure that the Developer provides sufficient turning and off loading facilities for delivery vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO