

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	05/06/2018
Planning Development Manager authorisation:	AN	6/6/18
Admin checks / despatch completed	AP	11/6/18

Application: 18/00556/DETAIL **Town / Parish:** Little Clacton Parish Council

Applicant: Mr Terry Spong - Sunnyside Homes

Address: Land North East of Tan Lane Little Clacton

Development: Reserved matters application following planning approval 15/01853/OUT-
Access, appearance, landscaping layout & scale.

1. Town / Parish Council

Little Clacton Parish Council recommend approval of this application.

2. Consultation Responses

Building Control and Access Officer	No comments at this stage.
ECC Highways Dept	The Highway Authority does not wish to make comment further to those previously submitted under application 15/01853/OUT
Tree & Landscape Officer	The site boundary is demarcated by a strong boundary hedgerow and a single Oak tree that is formally protected by Tree Preservation Order - TPO/16/02

In order to assess the extent to which the Oak is a constraint on the development of the land, to identify of the area within which it may be necessary to use specialist construction techniques and to show how the tree will be physically protected for the duration of the construction phase of the development the applicant has provided a Tree Survey and Report with planning application 15/01853/OUT

The report includes Tree Constraints Plan (TCP) and Preliminary Method Statement. This information is in accordance with the BS5837: 2012 Trees in relation to design, demolition and construction 'Recommendations.

The information shows that the new access road will be within the Root Protection Area (RPA) of the Oak and that specialist 'No-Dig' construction methods will be used so that the construction of the new road will not cause harm to the tree.

The retention of the hedgerow is desirable for the screening benefit that it provides. It appears that it is shown as retained. If it were to be removed then replacement planting should be secured.

3. Planning History

15/01853/OUT	Outline application with all matters reserved for the erection of 4 detached bungalows with associated access, parking landscaping and ancillary works.	Approved	24.05.2016
17/01005/DETAIL	Reserved matters application following outline planning approval 15/01853/OUT - Erection of 4 detached bungalows with associated access, parking landscaping and ancillary works.	Approved	02.08.2017
17/02016/DISCON	Discharge of conditions 7 (Turning Head) and 10 (Construction method statement) of approved planning permission 15/01853/OUT.	Approved	07.12.2017
18/00556/DETAIL	Reserved matters application following planning approval 15/01853/OUT- Access, appearance, landscaping layout & scale.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

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

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
LP2 Housing Choice
LP3 Housing Density and Standards
LP4 Housing Layout
PPL3 The Rural Landscape
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 eastern side of Tan Lane in the parish of Little Clacton. The site measures 0.20 hectares and is currently in agricultural use. The frontage of the site to Tan Lane is marked by a hedgerow and a large Oak Tree, which has been made the subject of a Tree Preservation Order.

Directly to the north of the site is residential ribbon development in the form of detached bungalows. The property directly adjacent to the site (Bell Elm) has an open boundary to the plot. Opposite the site, to the south and east are open agricultural fields.

The site benefits from outline planning permission (15/01853/OUT) for the construction of 4 detached bungalows. DETAIL application 17/01005/DETAIL then approved the associated reserved matters.

Proposal

This application seeks approval of the reserved matters (landscaping, access, appearance, scale and layout) following the outline approval 15/01853/OUT. Previously a DETAIL application was approved under ref 17/01005/DETAIL. This new DETAIL application seeks to alter the scheme by relocating the 4 properties further back within the site, reducing their footprint and by altering the

design and layout of the properties. The application also differs by proposing garages whereas previously two open parking bays were proposed.

The bungalows would take the form of handed design types but each with differing roof materials. The bungalows would measure 14m x 7m in footprint whereas as the previous DETAIL application approved bungalows with footprints measuring 16.5m x 7.9m. They will retain the same ridge height of 5.2m.

The protected Oak Tree and front hedge is to be retained and protected during the course of the construction of the development through measures agreed as part of the outline application.

Appraisal

The principle of siting 4 bungalows on this land was approved at outline stage in 2015. This application therefore seeks approval of the detailed aspects of the proposal including the design of the property, landscaping proposals and access/parking concerns.

Design/Layout

As shown at outline stage and within the previously approved DETAIL application the bungalows would front onto a setback carriageway accessed via new single point of access from Tan Lane. Each property would be set back slightly from the edge of the private drive to allow room for a grassed area and each would be served by 2 no. parking spaces (one via garaging) located in a setback location to the side. The siting and spacing between each property is sufficient and ensures the development would not appear too cramped. To the site frontage the hedgerow and protected Oak Tree are to be retained and will assist in softening views of the development from Tan Lane. To the rear of the site timber post and rail fencing with supplementary hedgerow planting is proposed which will provide a soft edge to the open countryside beyond.

It is acknowledged that the bungalows would have deep plan. However, the depth of the bungalows is similar to that shown on the indicative plans submitted at outline stage and less than those approved under the previous DETAIL application. Furthermore the depth of the bungalows would not be discernible in views from the highway due to the mature vegetation located on the adjoining site to the south and the presence of existing bungalows to the north.

The bungalows would be of simple pitched roof form with quoin detailing, brick coursing above the windows and roof canopies to the entrance doors located on the side of the properties. The use of differing roof materials will help to provide a degree of variety to the development. Overall, having regard to the context of the area the proposed design of the bungalows would relate suitably to the character and appearance of the locality.

In terms of private amenity space each bungalow would be served by an area in excess of 100sqm. This comfortably accords with the requirements of saved policy HG9 concerning garden sizes.

Residential Amenities

The siting and spacing of the bungalows ensures that future residents of the development would not be adversely impacted in terms of loss of light/outlook. To the north a bungalow known as Bell Elm borders the site. At present the boundary to this plot is open in nature but a new 1.8m close boarded fence is proposed along the shared boundary. The nearest bungalow on plot 1 would maintain a 4m gap to the side elevation of this property and would only extend slightly past the car port/garage to its rear. In view of this and the fact that the property on plot 1 is single storey in height and hipped away from the bungalow, any impact upon loss of light, outlook or privacy would be minimal.

Landscaping

The submitted landscaping scheme shows a new native species hedgerow planting along the rear of the site on the inside of the post and rail fencing. This will assist in softening views of the

development to the rear across open countryside. The driveway/carriageway areas are to block paved in grey pavements.

The Oak Tree to the front was made subject of a TPO during the course of the outline application. In order to assess the extent to which the Oak is a constraint on the development of the land, to identify the area within which it may be necessary to use specialist construction techniques and to show how the tree will be physically protected for the duration of the construction phase of the development the applicant has provided a Tree Survey and Report with planning application 15/01853/OUT. The report included a Tree Constraints Plan (TCP) and Preliminary Method Statement. This information is in accordance with the BS5837: 2012 Trees in relation to design, demolition and construction ' Recommendations. The information showed that the new access road will be within the Root Protection Area (RPA) of the Oak and that specialist 'No-Dig' construction methods will be used so that the construction of the new road will not cause harm to the tree.

The tree protection measures were secured at outline stage via condition.

Highway/Parking Considerations

Essex County Council Highways has assessed the highway and transportation impact of the proposal and has confirmed that they do not wish to provide any additional comments over those relayed previously, which were;

- 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 120 metres in both directions, as measured from and along the nearside edge of the carriageway.
- Prior to occupation of the development the vehicular parking and 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.
- Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.

These requirements are either reflected on the submitted plans or conditioned on the outline permission. A condition will be included on the reserved matters permission securing the provision of the parking bays/garages prior to occupation of the bungalows.

The proposed parking provision of 2 spaces per property through garages with open bays in front suitably accords with the current parking standards.

Other Considerations

Little Clacton Parish Council recommends approval. No further letters of representation have been received.

6. Recommendation

Approval

7. Conditions

- 1 The approved scheme of landscaping shown on drawing no. 136 03, 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.

- 2 Prior to the first occupation of the approved bungalows, the parking bays and garaging, as shown on approved drawing no. 136 01 Revision A (received 24th April 2018), shall be constructed and made ready for use. The parking bays and garages shall be retained as approved for parking purposes only thereafter.

Reason - To ensure sufficient off-street parking provision is provided in the interests of highway safety.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 136 01 Revision A (Received 24th April 2018), 136 02 Revision A (Received 24th April 2018), 136 03 and 136 04.

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

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.

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 or by post to:

Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester.
CO4 9YQ.

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.

Under Section 23 of the Land Drainage Act 1991, prior written consent from the Lead Local Flood Authority (Essex County Council) is required to construct any culvert (pipe) or structure (such as a dam or weir) to control, or alter the flow of water within an ordinary watercourse. Ordinary watercourses include ditches, drains and any other networks of water which are not classed as Main River.

If you believe you need to apply for consent, further information and the required application forms can be found at www.essex.gov.uk/flooding. Alternatively you can email any queries to Essex County Council via watercourse.regulation@essex.gov.uk or by 'phone on 0845 603 7631.

Planning permission does not negate the requirement for consent, and full details of the work you propose will be required at least two months before you intend to start.

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