

Crescent, Colchester Business Park, Colchester CO49YQ

INF02 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.

3. Planning History

15/00040/FUL	Proposed rear addition to house.	Approved	05.03.2015
18/00597/FUL	Proposed vehicular pavement crossing.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

LP3 Housing Density and Standards

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The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is on the south side of St Johns Road, opposite the Elm Grove car park. The site comprises a detached two storey dwelling, with a small garden to the front and larger garden to the rear. The site is within the Development Boundary of Clacton on Sea.

Proposal

This application seeks planning permission for a dropped kerb to form a new vehicular access to the site - facilitating off street parking.

Appraisal

The main considerations of this application are highway safety, the visual impact and impact on neighbours.

Highway Safety

Essex County Council Highways have been consulted on this application and consider that the proposal is acceptable subject to conditions regarding materials.

The Essex County Council Parking Standards states that proposed parking spaces should measure 5.5m by 2.9m, and that dwellings with 3 or more bedrooms must be provided with at least two spaces. The submitted block plan shows that there is adequate space to the front of the dwelling to accommodate these requirements.

Visual Impact

There are several examples of dropped kerb vehicular access in the immediate vicinity, and it is considered that the additional access will cause no harm to the character of the area.

Impact on Neighbours

At the proposal will be constructed at ground level, it is considered that there will be no impact on neighbouring amenities with regard to daylight, outlook or privacy.

Other Considerations

No letters of representation have been received.

Conclusion

In the absence of material harm as a result of the development, this application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing titled '1:500 Plan'.

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

- 3 No unbound materials 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.

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.

INF01 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: SMO1 Essex Highways, Colchester Highways Depot, 653, The Crescent, Colchester Business Park, Colchester CO49YQ

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