

Tendring District Local Plan 2007

HG3 Residential Development Within Defined Settlements

HG9 Private Amenity Space

HG14 Side Isolation

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)

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP4 Housing Layout

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The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 Hillcrest and previously formed the rear garden of no.37 Burrs Road, which is a chalet style bungalow situated to the immediate south of the site. Along the frontage of the plot is a 2m high close boarded timber fence. The rear of the site is marked by 1.5m high c/b fencing. Opposite the site on Hillcrest is a small mews style development of bungalows set on small plots.

Proposal

This application proposes the erection of a one bedroom bungalow on the plot. In 2016 a similar one bedroom bungalow was approved on the site under planning reference 16/01394/FUL. This scheme seeks to alter the bungalow and the layout by introducing a second hip to the roof and by relocating the access/parking area to the northern end of the plot. The gable to the front of the bungalow has also been relocated to the southern end of the property.

The bungalow would also have a slightly larger footprint than previously approved but a reduced ridge height. Overall the bungalow would measure 11m in width, a maximum of 7.2m in depth and 4.8m to ridge height.

The 2016 application also proposed a new access to Burrs Road to serve no. 37. This has been installed and therefore does not form part of this application.

Appraisal

Visual Impact

The principle of siting a small one bedroom bungalow on the plot has already been established via the granting of planning permission 16/01394/FUL.

The changes proposed to the property include handing the gable projection and introducing a second hip to the roofline. These changes along with the slight increase in the footprint of the property do not significantly alter the appearance of the development within the street scene and are therefore considered to be acceptable.

The relocating of the vehicular access/parking area to the northern end of the plot would have a minimal impact on the appearance of the area. The planting of a Flowering Cherry Tree at the southern end of the plot would assist in enhancing the overall appearance of the development.

Residential Amenity

The changes proposed would not cause any harm to the existing residents around the plot. The property is single storey so overlooking is not a concern and the introduction of a hip rather than a gable to the side flank would lessen the overall bulk of the bungalow and the impact on the property to the north.

A private garden of 50sqm is retained to the rear of the property in accordance with saved policy HG9.

Highway Safety

ECC Highways have no further comments to make over those previously made on the 2016 application. One parking space is proposed of a size commensurate with the current parking standards.

Other Considerations

The Council's Building Control has no comments to make upon the proposal. No further letters of representation have been received.

6. Recommendation

Approval

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 proposed Flowering Cherry tree, as shown on drawing no. 2, shall be planted not 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. If the tree becomes seriously damaged or diseased within five years of planting it 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.

- 3 Prior to occupation of the development the vehicular parking facilities, as shown on the submitted plan drawing no. 2, 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 controlled manner in the interest of highway safety.

- 4 No unbound material shall be used in the surface treatment of the proposed 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.

- 5 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Classes A, B, C and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), there shall be no additions to the dwelling, nor shall any buildings, enclosures, swimming or other pool be erected except in accordance with drawings showing the design and siting of such additions or building(s) which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - To ensure the proposed property retains sufficient private amenity space and to preserve neighbouring residential amenity from adverse overlooking.

- 6 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. 2

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 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, 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.

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