



# Planning, Design & Access Statement

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Dovercourt House, 23-25 Fronks Road, Harwich, CO12 3RJ

Change of use from former care home (C2) to two residential dwellings  
(Reserved Matters)

April 2021

**J Butterworth Planning Limited**  
71-75 Shelton Street  
London, WC2H 9JQ



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Prepared By



Jeremy Butterworth BSc (Hons) MA MRTPI

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Registered Office: 71-75 Shelton Street, Covent Garden, London, WC2H 9JQ

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# 1 Introduction and Purpose

## 1.1 Introduction

- 1.1.1 This statement represents a Planning, Design and Access Statement submitted in support of the application for approval of Reserved Matters for the change of Use from former Care Home (C2) to two residential dwellings (C3) (the 'proposed development') at Dovercourt House, 23-25 Fronks Road, Harwich, CO12 3RN (the 'site').

## 1.2 Purpose

- 1.2.1 Planning law<sup>1</sup> requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 1.2.2 The Courts<sup>2</sup> have determined that it is enough that a proposal accords with the development plan when considered as a whole. It is not necessary to accord with each and every policy contained within the development plan. Indeed, it is not at all unusual for development plan policies to pull in different directions.
- 1.2.3 The position was also clarified by Patterson J in *Tiviot Way Investments Ltd v Secretary of State for Communities and Local Government and Stockton-on-Tees BC [2015] EWHC 2489 Admin* at paragraph 31:

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*I do not accept, lest it be thought to establish the proposition, that the case of Hampton Bishop (supra) establishes that a breach of one key policy was sufficient to find conflict with the development plan as a whole.*

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- 1.2.4 The Planning & Compulsory Purchase Act 2004 defines the Development Plan for the purposes of this assessment process as the strategy for the region in which the site is located and development plan documents, taken as a whole, which have been approved or adopted for the area.
- 1.2.5 The purpose of this statement is therefore to identify Development Plan policies that are relevant in the assessment of the development proposals. Then to determine if the proposals conflict with their provisions and if they do, to determine whether there are material considerations which outweigh such conflict.

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<sup>1</sup> Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990

<sup>2</sup> See for example *BDW Trading Ltd. v Secretary of State for Communities and Local Government [2016] EWCA Civ 493; [2017] P.T.S.R. 1337*, at paragraphs 18 to 23; *Gladman Developments Ltd. v Canterbury City Council [2019] EWCA Civ 669; [2019] P.T.S.R. 1714*, at paragraphs 21 and 22; and *Chichester District Council v Secretary of State for Housing, Communities and Local Government [2019] EWCA Civ 1640; [2020] 1 P. & C.R. 9*, at paragraphs 31 and 32).

## 2 Development Proposals

### 2.1 Proposed Development

2.1.1 The proposed development is described as:

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*Change of Use from former Care Home (C2) to two residential dwellings (C3)*

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- 2.1.2 The development proposal consists of the change of use of the former care home (C2) to two dwellings (C3).
- 2.1.3 In its former use the subject buildings provided to total of 23 rooms spread over two floors, along with ancillary rooms such as kitchens, lounges, etc.
- 2.1.4 The proposed development will revert back to its original use as two large, detached dwellings.
- 2.1.5 The central link will be demolished, and in its place parking provided.
- 2.1.6 The proposed dwelling at No. 23 will consist of 6-bedrooms at first floor level and kitchen, living and dining areas at ground floor level. At first floor level a family bathroom and two-ensuite bathrooms will also be provided.
- 2.1.7 Areas within the loft can be used for further accommodation (home office) and storage and a small cellar also provides storage.
- 2.1.8 The proposed dwelling at No. 25 will consist of 3-bedrooms (plus bathroom and two ensuites) at first floor level and kitchen, living and dining areas at ground floor level.
- 2.1.9 Cycle parking and bins can be accommodated to the rear of the dwellings within the large rear private gardens.
- 2.1.10 The dwellings will have private parking and a minimum of 2 spaces can be provided for each dwelling.
- 2.1.11 New bin storage areas are also proposed.

### 3 Site Location, Description and History

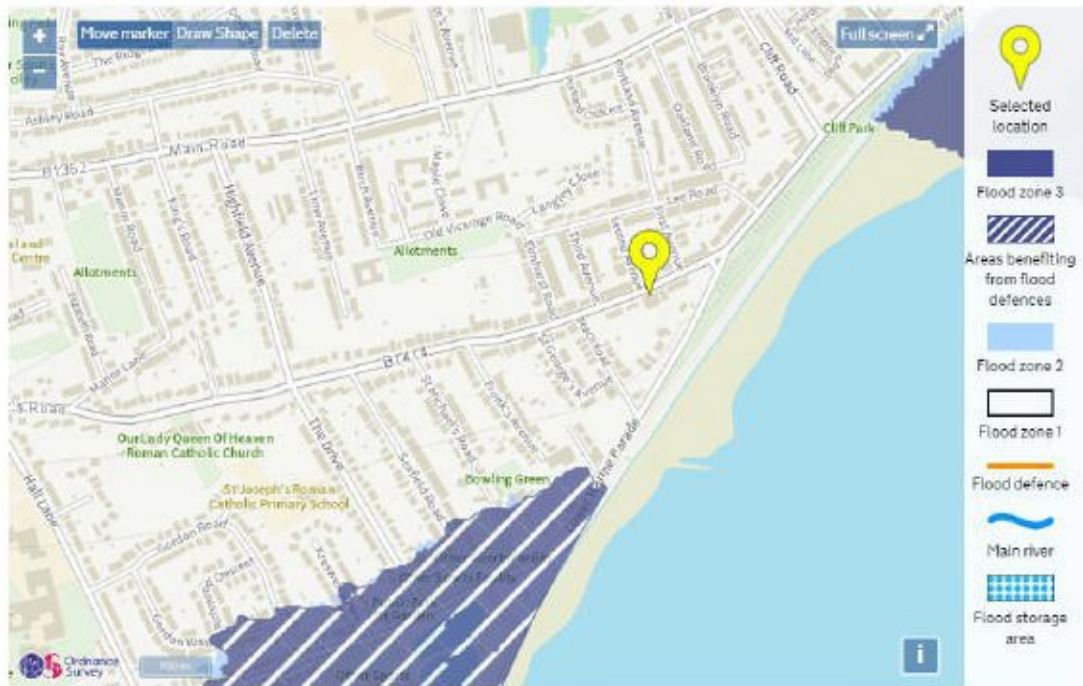
#### 3.1 Site Location and Description

- 3.1.1 The site lies on the southern side of Fronks Road opposite the junction with Second Avenue and close to the junction with Lower Marine Parade / Marine Parade.
- 3.1.2 Both 23 and 25 Fronks Road take the form of two substantial sized dwellings that were conjoined and subsequently converted into a care home.
- 3.1.3 The properties retain their individual appearance in the street scene, with the two storey link being design subserviently.
- 3.1.4 The dwellings are of an Arts and Craft style, synonymous with this area and provide an interesting and positive visual impact upon the street scene. Both properties have been significantly extended in their lifetime as a care home, providing multiple rooms.
- 3.1.5 The neighbouring dwellings are all of a similar scale, although of varying design and detailing.
- 3.1.6 However, the opposite side of Fronks Road contains smaller and terraced properties.
- 3.1.7 To the rear of the site the property backs onto the plots on Lower Marine Parade which face the seafront.



Site Frontage

- 3.1.8 The site is easily accessible by sustainable forms of transport and lies close to bus stops on Fronks Road which provide frequent services between Clacton and Harwich.
- 3.1.9 The site is 900 metres from Dovercourt railway station which provides services to Manningtree and onward connections towards London and Norwich.
- 3.1.10 The site is within Flood Zone 1 and is therefore at the lowest risk of flooding, as shown below:



### 3.2 Planning History

3.2.1 The most recent planning history of the property can be summarised as follows:

- 93/01274/FUL

Proposed extensions to form bedrooms with en-suite w.c's, lounge, assisted bathroom, enlarged laundry/dining room and lift shaft together with internal alterations to form assisted w.c's, staff w.c.

Approved 04.01.1994

- 94/00778/FUL

Amendment to planning permission TEN/93/1274 in respect of roof materials, roof pitch and introduction of flat roof adjacent to lift shaft

Approved 09.08.1994

- 94/01235/FUL

External store to rear of property

Approved 06.12.1994

- 09/00110/FUL

Single storey detached outbuilding for storage purposes.

Approved 03.04.2009



- 21/00172/FUL

Change of use from former Care Home (class C2) to a House of Multiple Occupancy (class C4)

Withdrawn 08.04.2021 21/00174/OUT

- 3.2.2 In addition, an Outline Application with all matters reserved for Change of Use from former Care Home (C2) to two residential dwellings (C3) was approved on 23<sup>rd</sup> April 2021.
- 3.2.3 This current application is the associated application for approval of the Reserved Matters.

## 4 Development Plan Context, Designations and Material Considerations

### 4.1 Development Plan Context and Designations

4.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. This represents the starting point for assessing the development prospects for a particular site or property.

4.1.2 The Development Plan context in Harwich is provided by the Tendring District Local Plan (2007) as well as the Tendring District Local Plan 2013-2033 and Beyond (2021).

4.1.3 The Proposals Map confirms that the site has no site-specific designations.



### 4.2 Relevant Development Plan Policies

4.2.1 The following policies of the Local Plan have been identified as relevant:

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
- COM6 Provision of Recreational Open Space for New Residential Development
- EN6 Biodiversity
- EN11A Protection of International Sites European Sites and RAMSAR Sites

- HG1 Housing Provision
- HG9 Private Amenity Space
- LP1 Housing Supply
- ER3 Protection of Employment Land
- TR1A Development Affecting Highways
- TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond (2021)

- SP1 Presumption in Favour of Sustainable Development
- SPL1 Managing Growth
- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- HP5 Open Space, Sports & Recreation Facilities
- PP6 Employment Sites
- PPL4 Biodiversity and Geodiversity

4.2.2 These are discussed below, where relevant.

### 4.3 Material Consideration – National Planning Policy Framework

4.3.1 The Government’s National Planning Policy Framework (February 2019) (the ‘Framework’) is a material consideration in the assessment of development proposals. The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.

4.3.2 The Framework confirms that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

- *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
- *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

- 4.3.3 The Framework emphasises that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged.
- 4.3.4 The Framework confirms that at its heart is a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up-to-date development plan without delay.
- 4.3.5 In respect of housing paragraph 59 confirms that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 4.3.6 Paragraph 68 recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly and confirms that local planning authorities should support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.
- 4.3.7 In terms of design, the Framework confirms that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 4.3.8 Planning decisions are required to ensure that developments:
- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
  - *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
  - *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
  - *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
  - *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

- *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

4.3.9 Paragraph 130 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

4.3.10 Paragraph 131 confirms that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

4.3.11 The proposed development will meet the above objectives. This is discussed below.

4.3.12 The Framework also provides policy guidance on promoting sustainable transport and in paragraph 109 confirms that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'.

4.3.13 The Framework also provides policy guidance on 'Making effective use of land' (Section 11). In paragraph 118 c) the Framework advises that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Paragraph 118 d) advises that planning decisions should promote and support the development of under-utilised land and buildings especially if this would help meet the identified needs for housing where land supply is constrained, and available sites could be used more effectively.

4.3.14 In addition, paragraph 123, the Framework advises that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

4.3.15 An assessment of the Framework confirms that the proposed development is consistent with national planning policies and this provides further support for the proposed development.

4.3.16 This is discussed in more detail below where relevant.

#### **4.4 Material Considerations - Nationally Described Space Standards**

4.4.1 These standards deal with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

4.4.2 The proposed development has been assessed against these standards and is compliant.

#### **4.5 Material Consideration –Supplementary Planning Guidance**

4.5.1 The supplementary planning guidance of relevance includes the Essex Design Guide (2005) and the Parking Standards Design and Good Practice Guide (2009).

## **5 Planning Assessment**

### **5.1 Introduction**

5.1.1 The following assessment considers the relevant Development Plan policies and material considerations identified in the preceding section and the degree to which the proposed development complies with their provisions or not as the case may be.

5.1.2 The principal considerations in the assessment of the development proposals are considered to be as follows:

- Principle of Development;
- Design;
- Standard of accommodation;
- Impact on neighbouring amenity;
- Highways, access and parking; and
- CIL and development contributions.

5.1.3 These considerations are summarised in turn below.

### **5.2 Principle of development**

5.2.1 In respect of residential development, the National Planning Policy Framework (NPPF) seeks to increase the housing supply and introduces a presumption in favour of sustainable development. The proposed development clearly falls into the category of sustainable development providing much needed housing within the urban area on previously developed land and there is good connectivity to the public transport network.

5.2.2 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. In this respect the site meets this aim.

5.2.3 This approach is consistent with the Development Plan which outlines that the overarching principle is for sustainable development as set out in Policy SP1.

5.2.4 The principle of the residential use of the site has already been established in the outline planning permission granted in April 2021 in which the Council were satisfied that the loss of commercial activity and a return to residential is entirely appropriate in this area where the vast majority of properties are in domestic use, bringing the site back into its original use.

### **5.3 Design**

5.3.1 In respect of design considerations Paragraph 124 of the NPPF confirms that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- 5.3.2 Paragraph 127 states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area; establish a strong sense of place; optimise the potential of the site to accommodate development; are sympathetic to local character and history, and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 5.3.3 Paragraph 130 advises that where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 5.3.4 Paragraph 131 advised that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 5.3.5 In this respect the NPPF offers support to the proposed development which will improve the appearance of the building and area by bringing the building back into a sustainable use and removing the unsightly link between the two original dwellings.
- 5.3.6 Policy SP7 confirms that all new development must meet high standards of urban and architectural design. Development
- 5.3.7 Policy QL9 states that all new development should make a positive contribution to the quality of the local environment and protect or enhance local character. Planning permission will only be granted if the following criteria are met:

- i. new buildings, alterations and structures are well designed and should maintain or enhance local character and distinctiveness;*

The proposed development only seeks to remove the existing link between the buildings which detracts from the appearance of the original dwellings. Therefore there will be improvements to the local character.

- ii. the development relates well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials;*

There are no new buildings proposed and therefore the above does not apply.

- iii. the development respects or enhances views, skylines, landmarks, existing street patterns, open spaces and other locally important features;*

There are no new buildings proposed and therefore the above does not apply.

- iv. the design and layout of the development incorporates important existing site features of landscape, ecological or amenity value such as trees, hedges, water features, buffer zones, walls and buildings (as well as opportunities to enhance such features e.g. habitat creation); and*



The proposed development will improve the layout of the site by reinstating two detached dwellings by removing the link and will not have any impact on the character of the area or any landscape features.

- v. *boundary treatments and hard and soft landscaping are designed as an integral part of the development reflecting the function and character of the development and its surroundings*

The proposed new boundary fence will not have any impact on the character of the area or any landscape features.

5.3.8 Policy QL10 states that all new development should meet functional requirements. Planning permission will only be granted if the following criteria are met, or can be shown not to apply to the proposed development:

- i. *access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate;*

The proposed development is likely to result in less traffic as a result of the change of use. As stated below the proposed new highway access will not result in any impact on the highway network.

- ii. *circulation within the site and convenience of access to the development reflects the hierarchy of transport users set out in Policy QL2;*

The proposed access to the site will not have detrimental impact on pedestrians or cyclists.

- iii. *the design and layout of the development maintains and/or provides safe and convenient access for people with mobility impairments;*

The proposed development seeks only change of use and will not have any impact on the access of the properties and level access is currently provided.

- iv. *the development contributes to community safety by incorporating or providing measures to minimise opportunities for crime and anti-social behaviour;*

The proposed dwellings will provide relevant security to minimise opportunities for crime or anti-social behaviour.

- v. *buildings and structures are orientated to ensure adequate daylight, outlook and privacy;*

There is no new buildings provided. However, the existing buildings provide adequate daylight and outlook and the dwellings will offer privacy.

- vi. *provision is made for functional needs including private amenity space, waste storage, separation and recycling facilities, servicing, vehicle and cycle parking; and*

The proposed dwellings will have large private amenity spaces to the rear and can provide storage for bins and recycling.

In addition, the proposed configuration can also provide car parking in accordance with the standards (as discussed below). The dwellings can also provide cycle parking within the rear gardens.

- vii. *the site will be served by utility services and other infrastructure necessary for the development proposed*

The property is already served by the relevant utilities.

5.3.9 Policy QL11 states that all new development should be compatible with surrounding land uses and minimise any adverse environmental impacts. Development will only be permitted if the following criteria are met:

- i. *the scale and nature of the development is appropriate to the locality;*

The proposed development involves the change of use of an existing building and therefore the scale of the building is unaltered (and in fact reduced).

- ii. *the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties;*

As discussed below there is no impact on neighbouring amenity.

- iii. *the development will not lead to material loss or damage to important environmental assets such as buildings of architectural interest, the historic environment, water courses, important archaeological sites and monuments and areas of conservation, recreation, ecological or landscape value;*

The proposed change of use will have no impact on the above.

- iv. *the development, including any additional road traffic arising, will not have a materially damaging impact on air, land, water (including ground water), amenity, health or safety through noise, smell, dust, light, heat, vibration, fumes or other forms of pollution or nuisance; and*

The proposed change of use will have no impact on the above.

- v. *the health, safety or amenity of any occupants or users of the proposed development will not be materially harmed by any pollution from an existing or committed use.*

The proposed change of use will have no impact on the above.

5.3.10 In relation the proposed design apart from minor alterations in respect of the addition of bin stores and the provision of storage for cycles the only major external changes to the building as a result of the change of use is the is the demolition of the rather unsightly link which currently joins the buildings together.

- 5.3.11 This link is not part of the original buildings which are of an arts and crafts style and currently forms an unsatisfactory design solution which joins these formerly detached buildings.
- 5.3.12 The link has a higher eaves height, a lower ridge and a different roof pitch to the two buildings and fenestration which is not in keeping with the original buildings, as shown below:



- 5.3.13 In this respect, its removal will enhance the character of the two original buildings and the reinstatement of two detached arts and crafts style detached dwellings will enhance the street scene.
- 5.3.14 The proposed bins stores can be sensitively designed, and further details can be secured by condition, if necessary.
- 5.3.15 The proposed cycle store will be set within the rear garden and not visible from the street.
- 5.3.16 The existing retained garage at No. 25 can also be used for cycle storage.
- 5.3.17 In this respect, there should be no objections in respect of the proposed design and appearance of the proposed development.

#### **5.4 Standard of accommodation**

- 5.4.1 Policy HG9 confirms that a minimum of 100 square metres of amenity space is required for 3+ bedroom houses.
- 5.4.2 In this respect, both dwellings will have private rear gardens which will meet this standard and will be separated by fencing to ensure privacy between the two dwellings.
- 5.4.3 In addition, the proposed dwellings are large and are well in excess of the minimum standards as set out in the Nationally Described Space Standards.

5.4.4 Furthermore, the proposed dwellings will offer suitable accommodation in respect of daylight and sunlight to key habitable rooms as well as privacy and outlook from all windows.

## **5.5 Impact on neighbouring amenity**

5.5.1 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.

5.5.2 In addition, Policy QL11 states 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.

5.5.3 Policy SPL3 also seeks a similar aim.

5.5.4 The property was formerly in use as a care home and in this respect, its use as two dwellings will be less intensive and therefore have less impact on the amenity of neighbours in respect of traffic movements, noise and number of occupants.

5.5.5 There are no new windows introduced into the properties and therefore there will be no material increase in overlooking from the existing situation.

5.5.6 In this respect it is clear that there will be no impact on the amenity of any neighbouring properties.

## **5.6 Highways, access and parking**

5.6.1 Paragraph 102 of the NPPF states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that the potential impacts of development on transport networks can be addressed; opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated; opportunities to promote walking, cycling and public transport use are identified and pursued; the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

5.6.2 In addition, paragraph 108 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users.

5.6.3 Policy QL10 states that planning permission will only be granted, if amongst other things, access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate.

5.6.4 A similar aim is also sought by Policy SPL3.

- 5.6.5 In addition, the Council's current adopted Parking Standards require that for dwellings with 2+ bedrooms a minimum of 2 parking spaces be provided per unit.
- 5.6.6 In this respect, the proposed development is capable of providing at least 2 parking spaces per dwelling on the two proposed driveways.
- 5.6.7 It was noted in the approval of the outline planning application that the proposal results in a significant reduction for parking requirement and results in an improvement over the existing parking provision via the removal of the link between the buildings and the creation of a new driveway.
- 5.6.8 The proposed driveways will meet the size requirements for parking spaces and a new drop kerb can be provided (subject to separate agreements with Highways).
- 5.6.9 In addition, on-street parking is available, and the site is also accessible by bus and rail services.
- 5.6.10 In addition, cycle storage is possible within the area to the rear, and this can be controlled by condition.
- 5.6.11 In this respect it is clear that there will be no impact on highway safety.

## **5.7 CIL and development contributions**

- 5.7.1 The proposed development falls below the affordable housing threshold.
- 5.7.2 The application scheme proposes two new dwellings on a site that lies within the Zone of Influence (Zoi) being approximately 756m from Stour And Orwell Estuaries SPA and Ramsar.
- 5.7.3 In addition, there is currently a deficit of 12.59 hectares of equipped play in Harwich and Dovercourt and In line with the requirements of Policies COM6 and HP5 the proposal would generate the requirement for a financial contribution toward public open, to include play space.
- 5.7.4 The outline consent was secured with a s106 unilateral undertaking to secure obligations in respect of such contributions and therefore no new planning obligations have been identified.

## 6 Summary and Conclusion

### 6.1 Summary

- 6.1.1 In summary, this statement represents a Planning, Design and Access Statement submitted in support of the application for approval of Reserved Matters for the change of Use from former Care Home (C2) to two residential dwellings (C3) at Dovercourt House, 23-25 Fronks Road, Harwich, CO12 3RN.
- 6.1.2 The purpose of this statement is to identify Development Plan policies that maybe relevant in the assessment of the development proposal; and to consider whether the proposal conflicts with their provisions and, if so, whether there are material considerations that outweigh any conflict with the Development Plan.
- 6.1.3 An assessment of the relevant planning policies in the adopted Development Plans confirms that there is no significant conflict with their provisions and that the statutory test imposed by Section 70(2) of the Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004 is met.
- 6.1.4 The National Planning Policy Framework is a material consideration in the assessment of the development proposal. An assessment of the Framework confirms that the proposed development is consistent with national planning policies and provides further support for the application.
- 6.1.5 The above confirms that:
- The principle of development has already been established by the outline permission.
  - The design of the building is largely unaltered apart from the removal of the link. Therefore, the appearance of the street scene will be enhanced.
  - The site has good public transport accessibility and the proposed parking arrangements are acceptable.
  - The proposed development will not have any impact on the amenity of neighbours.
  - The proposed dwellings will provide a good standard of accommodation and private amenity space.
  - There are no technical impediments to the granting of planning permission.

### 6.2 Conclusion

- 6.2.1 In conclusion, the proposed development is considered compliant with the relevant provisions of the development plan. Planning law dictates that this justifies a grant of planning permission. Assessment against the policies contained within the Framework, which is a material consideration, further confirms that the development can be considered to be a form of sustainable development and therefore benefit from the presumption in favour of sustainable development which is a golden thread running through decision-taking.
- 6.2.2 The proposal is therefore promoted on this basis and that it can be supported and receive a grant of planning permission.





**J Butterworth Planning Limited**  
71-75 Shelton Street  
London, WC2H 9JQ

