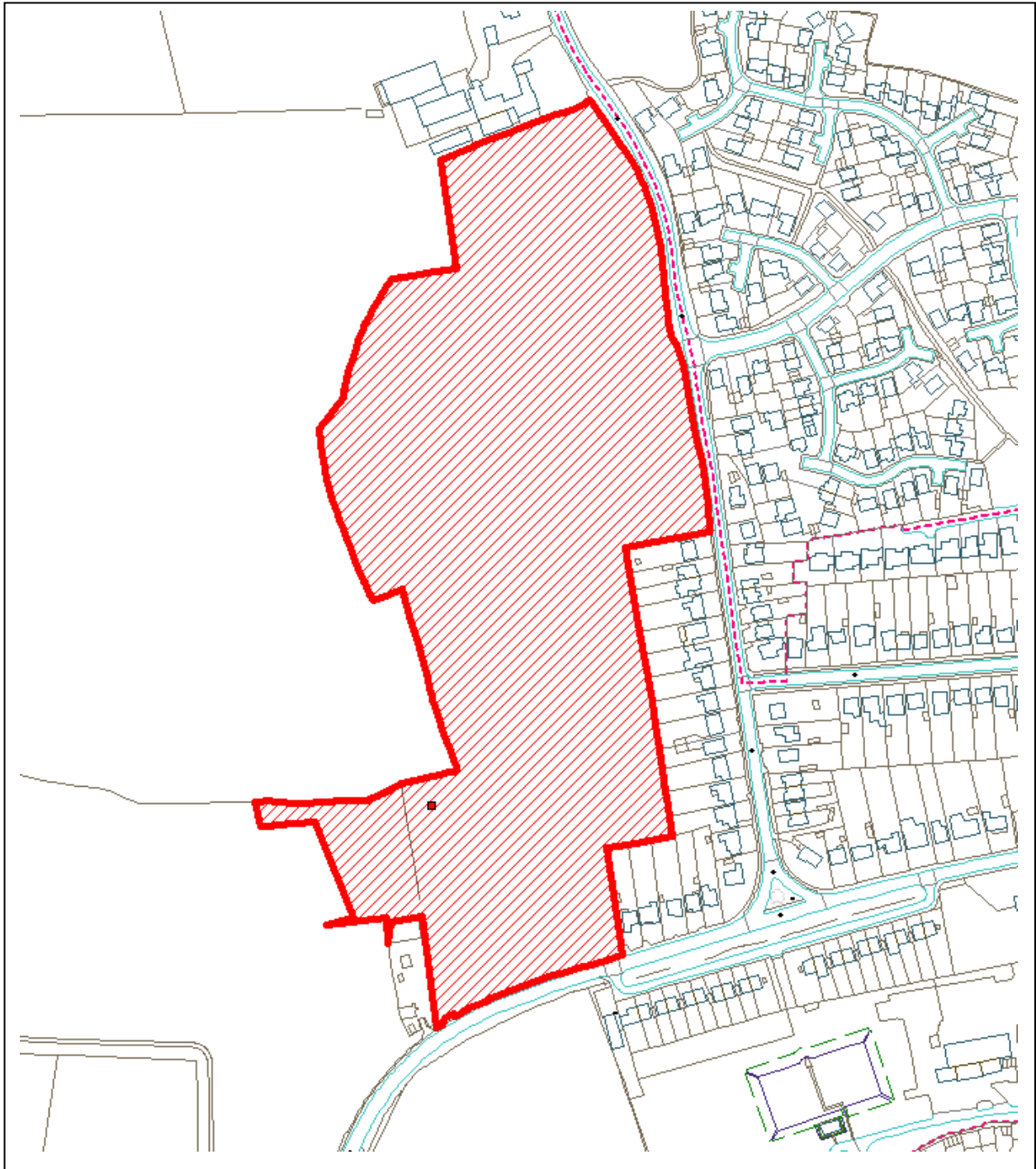


PLANNING COMMITTEE

20 SEPTEMBER 11

REPORT OF THE TEMPORARY HEAD OF PLANNING

A.2 PLANNING APPLICATIONS - 11/00175/DETAIL - LAND NORTH OF ST JOHNS ROAD , AND WEST OF LITTLE CLACTON ROAD, CLACTON ON SEA, ESSEX, CO16 8DX



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Application:	11/00175/DETAIL	Town / Parish:	Clacton Non Parished
Applicant:	Bloor Homes Eastern		
Address:	Land North of St Johns Road and West of Little Clacton Road Clacton On Sea, CO16 8DX		
Development:	Submission of reserved matters for the creation of 235 no. two, three and four bedroom houses and associated roads, paths, driveways, car parking and landscaping, plus public open space.		

1. Executive Summary

- 1.1 This site forms part of this Council's main housing allocation in the adopted Local Plan. Outline consent was granted on 12th May 2010 following a Public Inquiry. This application deals with the matters that were reserved for future consideration. Therefore the principle of development and access locations are already approved.
- 1.2 Following Members' deferral of this item at the Planning Committee on the 26th July 2011 the scheme now fully accords with the adopted parking standards and the amenity space requirements of policy HG9. The scheme accords with the development plan and is therefore acceptable.

Recommendation:

Approve Reserve Matters

Conditions:

- **Approved Plans;**
- **Landscaping in accordance with approved scheme.**

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2. Planning Policy

National Policy:

National Planning Policy Framework: Consultation Draft

PPS3 Housing

Regional Planning Policy:

SS1 Achieving Sustainable Development

ENV7 Quality in the Built Environment

Local Plan Policy:

CL14A Mixed Use Development in North-West Clacton

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

QL12 Planning Obligations

COM6 Provision of Recreational Open Space for New Residential Development

HG9 Private Amenity Space

Other guidance:

Essex Car Parking Standards

Essex Design Guide

3. Consultations

Environment Agency No objections.

ECC Highways No objections.

Police Architectural Liaison No objections. DAS needs amending to outline 'Secure by Design' elements that have been taken onto consideration (this has been amended).

4. Representations

An exhibition was held for the public on the 7th and 8th December 2010, in accordance with the Council's Statement of Community Involvement (2008). Letters have been sent to the occupiers of 110 nearby properties.

A joint representation was received from Councillor Harry Shearing and Brian Whitson who was a Councillor at the time. This stated:

Dwellings that back onto the existing dwellings should be single storey.

Officer Response: This will be dealt with in the report.

The spine road should not be a through road otherwise it will become a rat run.

Officer Response: The spine road and the link between the approved access points is required by condition by the Secretary of State and therefore the spine road must be a through road along which a bus can pass.

The 'future development' access point should be closed.

Officer Response: As this development will form a new urban edge it is conceivable that further land could be allocated adjacent to this site and therefore a means of access is essential. It is also a landowner requirement.

The community centre and doctor's surgery should come forward as a priority.

Officers Response: This will be addressed in the report.

11 Further letters of representation were received. These raised the following issues:

- We don't need more homes in the area.
- I bought my dwelling because of the open outlook to the rear so I don't want a housing estate there.
- The traffic is already very busy in this area, this will make it worse.
- There are no jobs in the area.
- The building works will be noisy.
- We should be building on Brownfield sites not Greenfield.
- I don't want to live in the middle of an urban development; I bought my house as it was on the edge of open countryside.
- The loss of agricultural land is unacceptable.
- The access position serving the dwellings on St Johns Road is harmful.
- Issues with school places if more houses are built.

Officer Response: As this is an application for the approval of reserved matters the issues of principle above are not material considerations and members must give these issues no weight.

Proposal is not in keeping with the existing properties.

Officer Response: This will be dealt with in the report.

5. Assessment

The main planning considerations are:

- Planning History;
- Site Characteristics;
- Appearance, Layout and Scale;
- Amenity Space Provision;
- Landscaping;
- Relationships to existing residential properties;
- Community and Health Centre and,
- Highways.

Planning History

5.1 Application 09/00886/OUT was a hybrid application which was made up of two distinct sections, a full application for the southern section of the site (phase 1) and an outline application for the northern section of the site (phase 2). It was refused by Members on the 18th November 2009 and was approved by the Secretary of State following a Public Inquiry on the 12th May 2010.

- 5.2 The application before members deals with the matters that were reserved for future consideration. These were appearance, landscaping, layout and scale. In law no other issues can be considered.
- 5.3 Therefore the principle of development and access locations are not issues that are before Members for consideration.

Site Characteristics

- 5.4 The site is arable farmland and is surrounded by trees and native hedging, some of which has breaks in it, apart from the boundary that backs onto the existing dwellings on Little Clacton Road and St Johns Road. The land undulates gently but there are no significant changes in level. There is only one internal landscape feature of note – a protected Oak tree that is located centrally in the site. A mixture of bungalows and chalet bungalows located on Little Clacton Road and St Johns Road back onto the site. There are various forms of rear boundary treatment ranging from trees and hedging to fences. Some are open and have no boundary demarcation. The dwelling at number 398 St Johns Road has 5 windows located on its western elevation. There is a farm and scaffolding business located to the north of the site. The approved development at Phase 1 to the west is currently under construction.

Appearance, Layout and Scale

- 5.5 The application has been the subject of numerous meetings to discuss design and layout issues. Essex County Council, through their Urban Design Team, has also been involved in improving the design and the layout. The principles set out in the Essex Design Guide have generally been followed. The result is a housing development that will be a pleasant and attractive neighbourhood.
- 5.6 This has been achieved by using traditional Essex house types with simple elevations in a traditional layout with shallow front gardens and front doors that address the street. Frontages have been kept as continuous, as is suggested by the Essex Design Guide, by using linked elements to oversail parking spaces. The materials submitted are acceptable and conform to the Councils material guidance. There are 107 dwellings with 2 bedrooms, 64 dwellings with 3 bedrooms and 64 dwellings with 4 bedrooms proposed. The density is 32.73 dwellings per hectare or 13.2 dwellings per acre.
- 5.7 As required by the outline consent, a spine road will run from the newly constructed St John's Road entrance past the area of public open space, through the western side of phase two and will connect to Little Clacton Road at a new roundabout north of the existing Little Clacton Road/ Constable Avenue roundabout. These access points are fixed by the outline consent and are not for consideration by Members. The spine road has been designed to take a bus route.
- 5.8 The roads that feed into the housing development are narrower and less formal in layout. There is a mixture of surfacing and areas of shared surface both of which help maintain lower vehicle speeds and create a less car dominated residential environment. Footpath links have been included so pedestrians can permeate through the site without having to walk the length of the spine road.
- 5.9 In urban design terms one of the developer's main challenges has been incorporating the 2 parking spaces per dwelling that the adopted parking standards require without creating a development that is dominated by car parking. This has been achieved by using the careful placement of parking spaces to the sides of dwellings and in car parking areas that are overlooked by the front elevations of dwellings. In pre-application discussions your officers have been keen to ensure that the parking courts are not located to the rears of dwellings

where the residents will not want to use them. They have also been landscaped with street trees to make the areas pleasant and useable places. Following amended plans the scheme now fully accords with the adopted parking standards. This has resulted in a scheme that has 470 allocated off street parking spaces, 35 visitor parking spaces that are allocated to particular dwellings and 50 visitor parking spaces that are not allocated.

- 5.10 The site has one important landscape feature – a protected Oak that is located centrally in the site. This tree has become a focal point for the scheme and will form an attractive square with houses around it. The concept has been taken a step further by creating a larger boulevard with good quality trees in the centre of a parking court that is surrounded by dwellings. This is an example of the ‘sense of place’ that will set this scheme apart from other housing development.

Amenity Provision

- 5.11 Following amended plans, the garden sizes now fully accord with policy HG9.

Landscaping

- 5.12 Landscaping so often is only considered as an after thought by developers, often to the detriment of the completed development. In this case landscaping and the protection of the existing trees on site have been a central theme of the pre-application discussions and therefore a landscape architect has been engaged and full landscaping details have been submitted. This is a welcome and positive aspect of the proposals. The Council’s Principal Landscape and Tree Officer has confirmed the landscaping scheme is of a high quality.
- 5.13 Landscaping has also been included along the new footway on the north side of St Johns Road which was secured by condition on the first phase. The new footway has been provided on site and due to a change in levels required the removal of hedging. The landscaping scheme will ensure new landscaping is provided here.
- 5.14 The site has been the subject of a wildlife survey. This concluded the site was of low ecological value generally.

Relationships to Existing Residential Properties

- 5.15 The existing dwellings on Little Clacton Road have rear gardens of 25 to 30 metres in length. The existing dwellings that front onto St Johns Road have rear gardens of 35 metres in length. The proposed dwellings have rear gardens of 15 metres in length. This has resulted in back to back distances of between 40 to 45 metres (with the exception of corner plot 213 which has 35 metres), which is far in excess of the Essex Design Guide requirement of 25 metres for houses.
- 5.16 In addition, 2 proposed dwellings will be situated next to existing dwellings. Plot 238 will sit next to 398 St Johns Road and plot 201 sits next to 29 Little Clacton Road. Both existing dwellings have windows in the facing flank and will lose the open aspect that these windows afford but this is an inevitable consequence of this allocation and outline approval. The 7 to 8 metres of space between the existing and proposed will ensure that no materially harmful loss of light will occur to these windows nor will the development be oppressive to these neighbours. The rear elevation of plot 210 is 25 metres from the rear elevation of 398 St Johns Road. This is acceptable as it meets the Essex Design Guide’s standards and is less harmful due to its oblique position in relation to the rear elevation of 398 St Johns Road.

- 5.17 The proposed scheme will not cause a materially harmful impact on the neighbouring amenity of existing dwellings in terms of overlooking, overshadowing or oppressiveness.
- 5.18 In addition to the acceptable back to back and side isolation distances, following the public consultation exercise in response to the residents requests the developers have agreed to provide a hedge at the ends of the gardens of the dwellings which makes up part of the landscaping scheme that will be conditioned. The hedge will be made up of *Cotoneaster lacteus* hedging and the following trees; *Betula jacquemontii* (Himalayan Birch), *Carpinus betulus* (Hornbeam), *Prunus avium* (Wild Cherry), *Carpinus betulus* 'Frans Fontain' (Hornbeam), *Betula Pendula* (Silver Birch), *Pyrus calleryana* 'Chanticleer' (Ornamental Pear) and *Prunus subhirtella* 'Autumnalis' (Flowering Cherry). This planting will further reduce the impact of the proposed development on the existing dwellings, however it is noted that as the back to back distances are in excess of adopted policy standards the hedge is not essential to the acceptability of the scheme and is viewed as an additional benefit.
- 5.19 At the Planning Committee when this item was deferred Members requested that the developers met the Chair, Vice Chair and Ward Members to discuss the scheme. The meeting took place with officers on the 31st August 2011. At this meeting the hedge along the rear boundaries of the existing dwellings on Little Clacton Road was discussed. Bloor's suggested a covenant involving the Council to retain this hedge but following discussions with our Solicitor this has proven not to be a realistic and workable solution. Bloor's have confirmed that the covenant will be provided but will not involve the Council. It will be a private covenant between Bloor's and the property owner. The hedge will be covered by the Council's usual landscape maintenance condition.
- 5.20 At the meeting a native hedge was discussed as it will be beneficial to wildlife. Following the meeting the Council's Principal Landscape and Tree Officer suggested *Cotoneaster lacteus* as although an ornamental species it is evergreen and will therefore screen well, it will be attractive as it flowers in the summer and will be beneficial for wildlife as it has berries in the autumn. It is also more likely to be retained than a native hedge which will be prickly and bare in winter.
- 5.21 Representations have stated that the dwellings are out of character and the proposed dwellings that back onto the existing houses on Little Clacton Road and St Johns Road should be bungalows. The two storey nature of the proposed development is in line with much of the residential development in northern Clacton. The dwellings on St Johns Road and Little Clacton Road are bungalows and chalet bungalows but this is not a form of development that the Essex Design Guide encourages and as demonstrated above the proposed two storey development is not harmful to neighbouring amenity and therefore conforms to policy QL9.

Community Centre and Health Centre

- 5.22 The scheme has not provided details of the community centre and the developers were under no obligation to do so. The developer has however commenced pre-application discussions with officers in respect of the design and layout of the community centre.
- 5.23 The Section 106 agreement requires the offer notice of the community centre to be served by the developer on the Council prior to the commencement of development of the second phase. The Council must accept this offer within 2 years of its receipt. If the Council accepts the offer of the community centre, the developer must provide it on site prior to the occupation of 75% of the second phase. If the Council rejects the offer, the developer will pay £750,000 to the Council for it to provide a community centre within 2 miles of the site. Therefore approval of this scheme will bring the on site provision of the community centre to benefit the residents and wider community a step closer.

- 5.24 A representation stated that the health centre should be provided on site as a matter of urgency. The Section 106 agreement states that the developer must submit the Health Centre Specification to the Primary Care Trust and the Council prior to commencement of development on phase 2. Prior to the first occupation of 50% of the second phase dwellings the Health Centre must be provided on site if the Primary Care Trust accepts the developers lease offer. Therefore approval of this scheme will bring the on site provision of the health centre to benefit the residents and wider community a step closer.

Highways Issues

- 5.25 As already noted access is not a reserved matter and therefore links to the wider highway network are not for Member's consideration.
- 5.26 The Highway Authority requested a number of amendments to the geometry of the internal layout. These amendments have been made and the Highway Authority has confirmed they have no objection to the scheme.

Background Papers

None.

Copies of all written observations on the applications before you for determination are available for inspection up to and including the date of the meeting during normal office hours at the Council Offices, Weeley. Please advise Planning Reception if you wish to see them to ensure the file is available. The file containing the observations will be available in the Council Chamber half an hour before the commencement of the meeting.