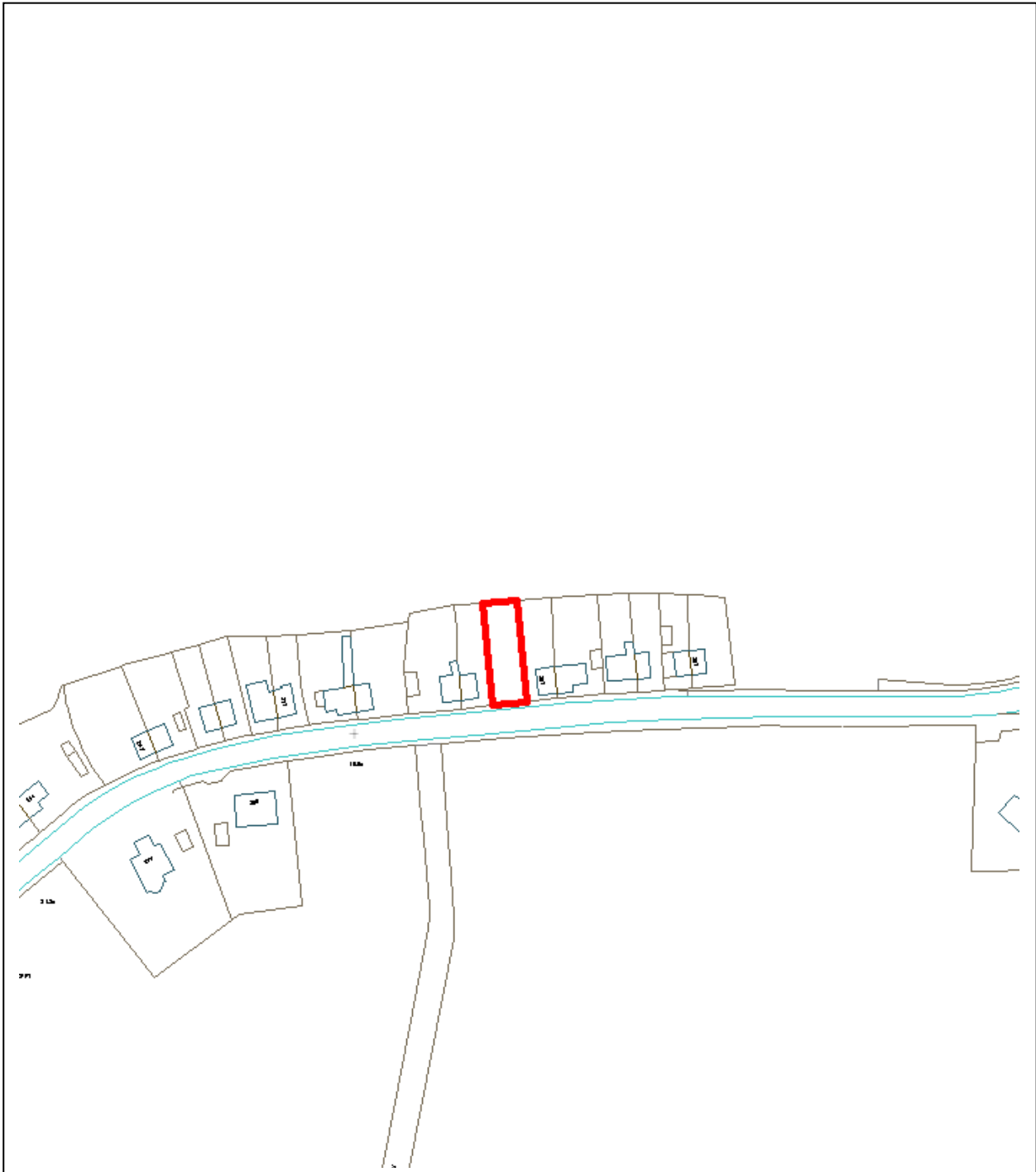


PLANNING COMMITTEE

3RD DECEMBER 2013

REPORT OF THE HEAD OF PLANNING

A.3 PLANNING APPLICATION - 13/00998/FUL - LAND ADJACENT 287 HARWICH ROAD, LITTLE CLACTON, CO16 9PZ



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Application:	13/00998/FUL	Town / Parish: Little Clacton Parish Council
Applicant:	TNH Properties Limited	
Address:	Land adjacent 287 Harwich Road Little Clacton CO16 9PZ	
Development:	Proposed 2 bed detached house.	

1. Executive Summary

- 1.1. This application has been referred to Planning Committee as it represents a departure from Local Plan policies which seek to manage growth and concentrate development within Settlement Boundaries.
- 1.2. The application seeks planning permission for the erection of a detached dwelling. The proposed dwelling is two storey in height and has two bedrooms. A driveway is proposed along the eastern boundary of the site, which leads to a turning area in the rear garden. The proposed dwelling will have a rendered finish with a slate roof.
- 1.3. Whilst the dwelling is outside the settlement boundary, the proposal does meet with other Local Plan policies in that it is situated between two dwellings in an established area of ribbon development and does not represent a new isolated home. It is therefore considered that residential development of this site would not result in any material harm to the landscape quality of the area.
- 1.4. Furthermore, the proposal is acceptable in terms of design, impact upon neighbours and highway safety.
- 1.5. The required financial contribution towards public open space has been provided and the application is recommended for approval.

Recommendation: Approve

Conditions:

1. Standard time limit for commencement
2. Development in accordance with submitted plans
3. Details of boundary treatment
4. Construction of vehicular access prior to occupation
5. Pedestrian visibility splays
6. No unbound material within 6 metres of highway
7. Provision of parking and turning area prior to occupation
8. Details of parking, loading and turning area and wheel underbody washing during construction

2. Planning Policy

National Policy

National Planning Policy Framework (2012)

Local Plan Policy

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
COM6	Provision of Recreational Open Space for New Residential Development
EN1	Landscape Character
TR1A	Development Affecting Highways

Tendring District Local Plan Proposed Submission Draft (2012)

SD1	Presumption in Favour of Sustainable Development
SD5	Managing Growth
SD8	Transport and Accessibility
SD9	Design of New Development
SD10	Sustainable Construction
PEO4	Standards for New Housing
PEO5	Housing Layout in Tendring
PEO22	Green Infrastructure in New Residential Development
PLA5	The Countryside Landscape

Other Guidance

Essex County Council Car Parking Standards - Design and Good Practice

3. Relevant Planning History

TEN/406/86 – Erection of Dwelling – Refused and dismissed at appeal – 17.02.87

92/00566/OUT – Erection of Dwelling – Refused – 14.07.1992

96/00588/FUL – Detached two bedroom dwelling – Refused – 09.07.1996

4. Consultations

4.1. Little Clacton Parish Council have no objections to this planning application.

- 4.2. Essex County Council Highways raise no objection to the proposal subject to conditions requiring the vehicular access being constructed prior to the occupation of the dwelling; pedestrian visibility to be provided and maintained; appropriate surface materials; adequate turning and parking space to be provided and a Construction Method Statement providing details of parking, loading, turning, wheel and underbody washing and storage of plant and materials during the construction period.
- 4.3. TDC Principal Tree and Landscape Officer states that no trees or other vegetation will be affected by the development proposal.

5. **Representations**

- 5.1 One letter of objection has been received and can be summarised as follows (*with Officer's response in brackets*):
- Additional pressure on amenities/sewerage etc. (*no evidence that adequate provision cannot be made, nevertheless it is a matter that will be dealt with through Building Regulations*)
 - Noise and disturbance for works being carried out (*there is bound to be some disturbance during the construction phase, however, this will be for a temporary period only and there is separate legislation to control noise nuisance*)
 - Overlooking/Loss of privacy (*see paragraphs 6.13 to 6.15*)
 - Loss of existing views (*the loss of a private view is not a material planning consideration*)
 - Appearance of new design compared with existing traditional cottage development styles (*see paragraph 6.10 - 6.12*)
 - Effect on wildlife and plant habitat that exists in this overgrown area which has been left for many years needs to be checked for rare breeds found locally such as the 'Fisher Estaurine Moth' as well as nesting birds (*whilst the site is overgrown, it is considered unlikely to provide habitat for protected species*).
 - Additional strain on highway safety as current residents experience, regular issues entering/exiting their driveways to and from a very fast and busy road (*see paragraphs 6.16 – 6.18*)

6. **Assessment**

- 6.1. The main planning considerations are:
- Planning Policy;
 - Design and Appearance;
 - Residential Amenity;
 - Highway Safety; and,
 - Public Open Space Contribution.

Proposal

- 6.2. This application seeks planning permission for the erection of a detached dwelling. The proposed dwelling is two storey in height and has two bedrooms. A driveway is proposed

along the eastern boundary of the site, which leads to a turning area in the rear garden. The proposed dwelling will have a rendered finish with a slate roof.

Site Location

- 6.3. The site is located in between Nos. 285 and 287 Harwich Road, Little Clacton outside any development boundary in an area of ribbon development between the villages of Little Clacton and Thorpe Le Soken.

Policy

- 6.4. The National Planning Policy Framework states housing applications should be considered in the context of the presumption in favour of sustainable development and to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Draft Local Plan Policy SD1 states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
- 6.5. The site lies wholly outside the settlement development boundary and therefore proposes a new dwelling in the Countryside. Saved Policies HG5 and HG18 make clear that new permanent dwellings in the Countryside should only be allowed as local needs affordable housing or to support existing agricultural activities where there is a clearly established functional need. These views are reflected under Draft Local Plan Policies PEO11 and COU5. In this case there is no local need or agricultural justification for the proposed dwelling.
- 6.6. Notwithstanding the above, whilst the site is outside any development boundary it is situated in between two dwellings in an established area of ribbon development. Therefore the proposal does not represent a new isolated home.
- 6.7. Since the previous decisions set out above, the policy context has changed due to the publication of the NPPF, which sets out a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Given this significant change in policy context, it is considered that although the site lies outside a development boundary it is not the sole determining factor and other issues must be taken into consideration.
- 6.8. Saved Policy EN1 states the quality of the District's landscape and its distinctive local character will be protected from inappropriate forms of development. Draft Local Plan Policy PLA5 also states that 'the quality of the district's landscape and its distinctive local character will be protected and, wherever possible, enhanced. Any development which would significantly harm landscape character or quality will not be permitted.' Within the Landscape Character Assessment the site is within the Clacton and The Sokens Clay Plateau (8B), the character of the area is described as being intensively cultivated and influenced by urban fringe land uses. The presence of extensive areas of built development, urban fringe land uses around Clacton and the merging of settlements has masked the rural character of the landscape and the historic settlement pattern. The overall landscape character is poor. The guidance for built form set out as set out in Volume 2 of the Landscape Character Assessment states that 'the strategic gaps between settlements are important to maintain their individual identities' and 'the strategy should be to conserve the low density settlement pattern in rural areas, maintain identity of individual settlements, and enhance the character of the urban fringe'. It is considered that the proposal would not result in a change of character of the surrounding area.
- 6.9. Previous refusals included the concern that the proposal would create a precedent resulting in a consolidation and intensification of development in linear form to the detriment of the

rural character. Since the time of these decisions it appears that the area has evolved and properties have been extended and outbuildings constructed. This means that the opportunities for consolidation are less and what may occur would not result in a significant change in the character of the area.

Design

- 6.10. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, in indivisible from good planning, and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 17 is to always seek to secure high quality design.
- 6.11. Policies QL9, QL10 and QL11 of the Saved Plan aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Policy SD9 of the Draft Plan carries forward the sentiments of these saved policies stating that all new development must make a positive contribution to the quality of the local environment and protect or enhance local character.
- 6.12. The design of the proposed dwelling has been altered during the application to include a chimney, which means that the design replicates that of surrounding properties. On this basis, it is considered that whilst the proposed dwelling is simple in design that it is in keeping with the surrounding area.

Residential Amenity

- 6.13. 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. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, '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'. Policy SD9 of the Draft Plan carries forward the sentiments of these saved policies and states that 'the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'.
- 6.14. The properties either side of the application are two storey in height. The flank elevation of No. 285 has no windows facing onto the application site, whilst No. 287 has one window at ground floor level which faces onto the site. The proposed dwelling has one ground floor window which serves a WC facing towards No. 285, this window will be obscure glazed and it is considered that any boundary treatment will mitigate against any direct overlooking. There is also one ground floor window which provides a secondary window to the living room facing No. 287. This window is situated approximately 3.1 metres from the boundary of the site and any boundary treatment will provide screening, therefore no significant overlooking will occur. The first floor rear windows of the proposed dwelling will result in some overlooking to the neighbouring properties; however, this overlooking will be towards the rear of the garden and is not considered to be sufficient to warrant a reason for refusal. The level of overlooking would not be greater than what currently occurs from other neighbouring properties.
- 6.15. It is therefore considered that the proposal would not result in significant harm to the amenities of the neighbouring residents.

Highway Safety

- 6.16. Policy QL10 of the Saved Plan 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. This requirement is also carried forward to Policy SD9 of the Draft Plan.
- 6.17. Harwich Road is a fairly busy road; concerns are raised that the proposed dwelling will add additional strain on the highway network and exacerbate problems already experienced by existing residents. The proposal provides a turning area to the rear of the site and two parking spaces. This is sufficient space to accordance with the Council's Adopted Parking Standards and to ensure that a vehicle can enter and leave the site in a forward gear. The provision is better than some of the properties in the area, which do not have turning facilities within the site. It is considered that one dwelling will not result in a material increase in vehicle movements and will not result in any material harm to highway safety.
- 6.18. The Highway Authority has no objection to the proposal subject to conditions requiring the vehicular access to be constructed prior to the occupation of the dwelling; pedestrian visibility to be provided and maintained; appropriate surface materials; adequate turning and parking space to be provided and a Construction Method Statement providing details of parking, loading, turning, wheel and underbody washing and storage of plant and materials during the construction period.

Public Open Space Contribution

- 6.19. There is an identified significant deficit in equipped play facilities in the Little Clacton Parish and a financial contribution towards improved play facilities is justified. A Unilateral Undertaking has been provided and the proposal is therefore in accordance with saved Local Plan Policy COM6 and Draft Local Plan Policy PEO22.

Background Papers

None.