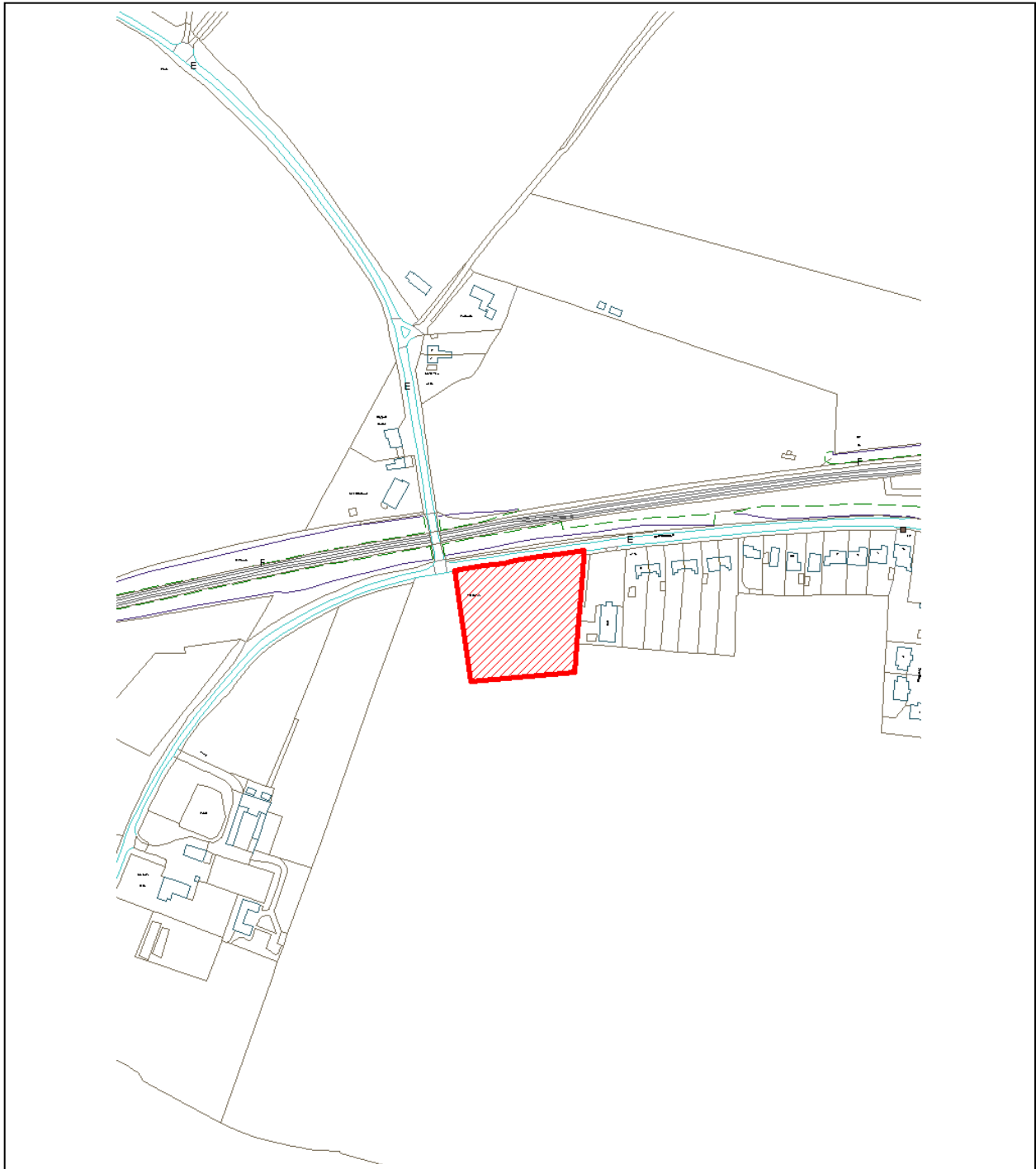


**PLANNING COMMITTEE**

**22 July 2014**

**REPORT OF THE HEAD OF PLANNING**

**A.3 PLANNING APPLICATION - 14/00447/OUT - LAND SOUTH OF STATION ROAD WRABNESS, CO11 2TH**



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<b>Application:</b>	14/00447/OUT	<b>Town / Parish:</b> Wrabness Parish Council
<b>Applicant:</b>	Mr J McCaulay	
<b>Address:</b>	Land South of Station Road Wrabness Essex CO11 2TH	
<b>Development:</b>	Outline planning application with all matters reserved for the construction of 10 dwellings and 4 affordable houses.	

## 1. Executive Summary

- 1.1 The application site lies outside of any defined settlement development boundary of Wrabness as set out in the Tendring District Local Plan (2007); however the majority of the site lies within the extended defined settlement boundary of Wrabness in the Tendring District Local Plan Proposed Submission Draft (2012). Policies within these plans seek to restrict development to within the settlement development boundaries.
- 1.2 Outside of these boundaries Policy QL1 of the Tendring District Local Plan (2007) and Policy SD5 of the Tendring District Local Plan Proposed Submission Draft (2012) states that permission is to be refused for new residential development subject to specified exceptions.
- 1.3 The National Planning Policy Framework however sets out that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 1.4 It is accepted that the Council cannot demonstrate a deliverable 5 year housing land supply and as a result officers considered that Tendring District Local Plan (2007) Policy QL1, cannot be considered up-to-date as set out in paragraph 49 of the NPPF and as a result the proposed development cannot be refused solely on the basis that a site is outside the development boundary.
- 1.5 Paragraph 14 of the NPPF sets out that where relevant policies are out-of-date planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
- 1.6 On this basis and having regard to paragraphs 14 and 49 of the NPPF, the presumption in favour of sustainable development carries significant weight.
- 1.7 Officers conclude that the proposed development would satisfy the three dimensions of 'sustainable development' whilst also being able to achieve a development that would comply with Policies QL9, QL10 and QL11 of the Tendring District Local Plan (2007) as well as Policy SD9 of the Tendring District Local Plan Proposed Submission Draft (2012).

### **Recommendation: Approve Outline**

That the Head of Planning (or equivalent authorised officer) be authorised to grant outline planning permission for the development subject to:-

- a) Within six months of the date of the Committee's resolution to approve, the completion of a legal agreement under the provisions of section 106 of the Town and Country Planning

Act 1990 dealing with the following matters

- Affordable Housing On-Site Provision;
- Education Provision; and
- Public Open Space Contribution Provision.

b) Planning conditions in accordance with those set out in (i) below (but with such amendments and additions, if any, to the detailed wording thereof as the Head of Planning (or the equivalent authorised officer) in their discretion considers appropriate).

**(i) Conditions:**

1. Details of the appearance, landscaping, layout, access and scale, (hereinafter called "the reserved matters")
2. Application for approval of the reserved matters
3. The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters.
4. Samples of the materials
5. Hard and soft landscaping
6. All hard and soft landscaping implementation
7. Landscaping - Five year clause
8. As requested by the Highway Authority
9. Boundary treatments
10. Details of Refuse storage/collection areas
11. Permeable surfacing
12. Scheme to provide renewable energy and energy and water efficiency technologies to be used
13. Archaeology investigative and report works
14. Biodiversity enhancement provision
15. Removal of PD rights for fencing, walls and means of enclosure on the western and southern boundaries of the site

**2. Planning Policy**

National Policy:

NPPF National Planning Policy Framework (2012)

Local Plan Policy:

*Tendring District Local Plan 2007*

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

QL12 Planning Obligations

HG3 Residential Development Within Defined Settlements

HG4 Affordable Housing in New Developments  
HG6 Dwelling Size and Type  
HG7 Residential Densities  
HG9 Private Amenity Space  
HG14 Side Isolation  
COM6 Provision of Recreational Open Space for New Residential Development  
COM26 Contributions to Education Provision  
EN1 Landscape Character  
EN3 Coastal Protection Belt  
EN6 Biodiversity  
TR1A Development Affecting Highways  
TR7 Vehicle Parking at New Development

*Tendring District Local Plan: Proposed Submission Draft (2012) as amended by the  
Tendring District Local Plan: Pre-Submission Focussed Changes (2014)*

SD1 Presumption in Favour of Sustainable Development  
SD4 Smaller Rural Settlements  
SD5 Managing Growth  
SD7 Securing Facilities and Infrastructure  
SD8 Transport and Accessibility  
SD9 Design of New Development  
SD10 Sustainable Construction  
PEO3 Housing Density  
PEO4 Standards for New Housing  
PEO7 Housing Choice  
PEO10 Council Housing  
PEO22 Green Infrastructure in New Residential Development  
PLA2 Coastal Protection  
PLA4 Nature Conservation and Geo-Diversity

PLA5 The Countryside Landscape

Other guidance:

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

Wrabness Parish Plan

**3. Relevant Planning History**

3.1 None

**4. Consultations**

4.1 TDC Housing – Affordable housing provision being offered is acceptable.

4.2 TDC Public Experience – Request Section 106 monies (see appraisal section below)

4.3 Essex County Council Education Services – Request Section 106 monies (see appraisal section below)

4.4 ECC Highways Dept – The Highway Authority raises no objection subject to:-

1. Prior to occupation of the development, the proposed estate road, at its bellmouth junction with Station Road shall be provided with 10.5m. radius kerbs returned to an access road carriageway width of 5.5m. and flanking footways 2m. in width returned around the radius kerbs. The new road junction shall be constructed at least to binder course prior to the commencement of any other development including the delivery of materials.
2. Prior to the proposed access being brought into use, minimum vehicular visibility splays of 90m by 2.4m by 90m, as measured along, from and along the nearside edge of the carriageway, shall be provided on both sides of the centre line of the access and shall be maintained in perpetuity free from obstruction exceeding a height of 600mm.
3. No unbound materials shall be used in the surface treatment of any of the proposed vehicular accesses within 6m of the highway boundary / throughout.
4. Prior to the proposed accesses being brought into use, a 1.5m. x 1.5m. pedestrian visibility splay, relative to the highway boundary or proposed highway, shall be provided on both sides of that access and shall be maintained in perpetuity free from obstruction exceeding a height of 600mm. These splays must not form part of the vehicular surface of the access.
5. Prior to commencement of the proposed development, a vehicular turning facility for service and delivery vehicles of at least size 3 dimensions and of a design which shall be approved in writing by the Local Planning Authority, shall be provided within the site and shall be maintained free from obstruction at all times for that sole purpose.
6. Prior to the commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.

7. The carriageway(s) of the proposed estate road(s) shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road(s). The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling, prior to occupation has a properly consolidated and surfaced carriageway and footway between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any up-stands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and paths in front of each dwelling shall be completed with the final surfacing within twelve months from the first occupation of such dwelling.
8. Any garage provided with its vehicular door facing the highway or proposed highway, shall be sited a minimum of 6m from that boundary
9. Prior to commencement of the proposed development, details of the provision for parking of powered two wheelers and bicycles, of a design which shall be approved in writing with the Local Planning Authority, shall be provided within the site and shall be maintained free from obstruction at all times for that sole purpose.
10. Prior to the occupation of any of the proposed dwellings the Developer shall provide a 2m wide kerbed footway connection from existing vehicular access for the Village Hall to the proposed vehicular access to the proposed development site and being provided entirely at the Applicant/Developer's expense including new kerbing, surfacing, any adjustments in levels and any accommodation works to the footway and carriageway channel and making an appropriate connection.
11. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. wheel washing facilities

4.5 ECC Archaeological Services – Recommend conditions due to the potential for surviving below ground archaeology on the site.

4.6 Natural England – No objection. Recommend securing measures to enhance biodiversity of the site.

4.7 Environment Agency – No comment to make.

4.8 The Harwich Society – Objects as proposal extends beyond the approved and proposed Wrabness village settlement limits; and compromises the local aspiration for public open space next to the Village Hall.

4.9 Anglian Water – No objection

4.10 UK Power Networks – No comments received

4.11 Essex Wildlife Trust – No comments received

## **5. Representations**

5.1 The Parish Council has objected to the application for the following reasons (with officer comments in brackets):

- The proposal does not comply with the adopted Tendring District Local Plan and the District Councils own proposals for Wrabness in the draft Local Plan (See Assessment below).
- The proposal would detract from the Parish Council's aspirations for 0.2 hectares of open space to the west of the Village Hall and which is subject to an unresolved Local Plan objection (Not a reason to refuse or withhold planning permission).
- The approved Wrabness Parish Plan aspires to a maximum of 10 houses in the parish within a 10 year period. The size of this development is too large given other housing development that has occurred and development opportunities at Wrabness which will contribute to this target (Wrabness Parish Plan (2008) is guidance which reflects the aspirations of the village, and as such this document is afforded limited weight).
- The Parish Council has undertaken a local survey in partnership with the Rural Housing Association which has established a need for two affordable houses in Wrabness, not four (Not a reason to refuse planning permission).
- The Parish Council and the Village Hall Committee do not support the proposed additional car parking provision for the Village Hall as a priority need in the village. The proposed location and illustrative access arrangements are inconvenient and unwelcome (Has been removed from the illustrative plan, and offer does not form a basis of the determination of this application).
- The planning application proposes section 106 open space provision adjacent to the Rectory Road Playing Field some distance from the application site. The Parish Council and the Village Playing Field Committee do not welcome this suggestion as additional open space is not required in this location (Offer does not form a basis of the determination of this application).
- The approved Wrabness Parish Plan aspires to create a village green and allotment area to address a shortfall of open space for allotments in the village. They aspire that this should be next to the Village Hall to maximise the community benefits, in terms of location, access and synergy with the Village Hall for social activities, events and functions (Not a reason to refuse planning permission).

5.2 Two letters of representation have been received in objection to the proposal. The comments are summarised below:

- Proposal far exceeds the Parish Councils plans for 10 new homes over a 10 year period.
- Proposal would negatively change the ambience of the village.
- Proposal would remove a valuable rural aspect within the village.
- Village Hall parking provision already more than adequate.
- This area behind Village Hall would merely become an area open to unsociable behaviour and criminality.
- Application unclear with regards to future expansion.
- Parking for the Village Hall would merely provide an additional route to expand the development.
- Also potential for expansion of development at the other end.
- Should be legal commitments from the Council and landowners that should this application succeed future expansion will not be permitted.
- Change the aspect and layout of the village through the encroachment into the open countryside.

- Parking spaces behind the Village Hall only serves the purpose of extending the building line further into the green belt to justify more houses which is not driven by any need on behalf of the village or surrounding area.
- Sufficient potential infill sites within the village envelope to meet the planned requirement of new houses for the village, as identified in the Wrabness Parish Plan.
- Applicant seeks to exploit planning loopholes to justify an unnecessary expansion of the village into the green belt.
- Proposal will lead to an unacceptable increase in traffic through the village and along Dimbols Hall Lane which lacks any footpath and is in a state of disrepair.

## **6. Assessment**

6.1 The main planning considerations are:

- Site Context
- Proposal
- Principle of Development
- Character and Appearance
- Neighbouring Amenity
- Highway Considerations
- Biodiversity
- Other Material Considerations (Including Section 106 Obligations)

### **Site Context**

- 6.2 Station Road comprises a linear form of development with a mixed character resulting from dwellings of varying scale, bulk, design and appearance. In the immediate vicinity of the site development is characterised by a 2-storey semi-detached dwellings to the east of the site on Station Road, and immediately to the east of the site is the Village Hall, which is set back into the site, with a large frontage car-park.
- 6.3 The site itself is part of a larger agricultural field, with its western and southern boundaries not demarcated. The northern boundary of the site is fronted onto Station Road with a lack of any roadside hedgerow. The eastern boundary of the site with the Village Hall car-park is formed by a 2m (approx) (in part) hedgerow.
- 6.4 Overhead electricity lines run along the northern and eastern boundaries of the site.
- 6.5 The site has a gently gradient change, being a downhill gradient of north to south.
- 6.6 The highway speed restrictions to 30MPH when entering the village of Wrabness are located along the northern boundary of the site.
- 6.7 The site measures approximately 86 metres in length along the Station Road frontage, and 78 metres in depth (0.6 hectares). The site benefits from unrestricted highway access given the lack of any roadside hedges.
- 6.8 The application site is located within the Coastal Protection Belt (CPB) as noted on the Policies Map of the Tendring District Local Plan (2007), but largely outside of the CPB within the Tendring District Local Plan Proposed Submission Draft (2012) as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014).



## **Proposal**

- 6.9 The current application seeks outline consent with all matters reserved for the construction of 14 dwellings, with 4 of these being offered as affordable homes.
- 6.10 The applicant has indicated that whilst all matters are reserved for later consideration, an indicative drawing has been submitted to indicate how development could be achieved within the application site. The indicative drawing shows the continuation of the existing linear form of development seen within Station Road, being 4 pairs of semi-detached properties, and one further pair and 4 detached properties to the rear of the frontage properties.
- 6.11 These properties are indicated as being 4 x 2-bed units, 6 x 3-bed units, and 4 x 4-bed units.
- 6.12 The indicative drawing indicates separate vehicular access off Station Road for the frontage properties, and a main access point to the north-east of the site (within the 30MPH zone) for access to the properties to the rear.
- 6.13 It is suggested that there would be sufficient land available to allow for substantial landscaping, most notably to the western and southern boundaries which are currently open to the wider countryside.
- 6.14 It should be noted that the application was originally submitted including additional provision for extra parking to the south of the Village Hall for 14 car parking spaces, and the transfer of 0.3 hectares of land to the north of the existing playing fields at Rectory Road to the Parish Council if required. Although not forming part of the application redline itself, the applicant has been advised that such provisions would not accord with CIL regs, and these offers do not form part of the consideration of this outline application, and the indicative layout drawing has been amended accordingly.

## **Principle of Development**

- 6.15 The main issues for consideration are:
- whether the site would be suitable for housing having regard to the principles of sustainable development.
  - the effect of the proposed development on the character and appearance of the surrounding area.
- 6.16 The application site is located immediately to the west of the Village Hall. The site is adjacent to but outside the village development boundary as defined within the Tendring District Local Plan, 2007 which aims to direct new development to the most sustainable sites. Outside development boundaries, the Local Plan seeks to conserve and enhance the countryside for its own sake by not allowing new housing unless it is consistent with countryside policies.
- 6.17 Wrabness is identified as a village within Policy QL1 of the Tendring District Local Plan (2007) and on this basis it is considered that a modest amount of growth can be supported. Tendring District Local Plan (2007) Policy QL1 sets out that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan.
- 6.18 A site to the west of the village on Station Road has been identified within the Tendring District Local Plan Proposed Submission Draft (2012) as amended by the Tendring District

Local Plan: Pre-Submission Focussed Changes (2014) as supporting an urban extension to the village. This extension to the defined settlement boundary measures approximately 60 metres in length along the Station Road frontage and 60 metres in depth (on its eastern boundary) and tapering to 50 metres (at its western boundary with the open countryside). This extension to the defined settlement limits is expected to remain in any future draft Local Plan, but it is noted that the current proposal is partly outside of the proposed extension to the defined settlement limit of the village.

- 6.19 Chapter 6 of the National Planning Policy Framework (NPPF) has as an objective the delivery of a wide choice of high quality homes. In order to facilitate this objective paragraph 49 of the NPPF sets out housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 6.20 It is accepted that the Council cannot demonstrate a deliverable 5 year housing land supply and as a result officers consider that Tendring District Local Plan (2007) Policy QL1, cannot be considered up-to-date as set out in paragraph 49 of the NPPF.
- 6.21 This view has also been supported by the Planning Inspectorate in a number of recent appeal decisions for similar outline schemes.
- 6.22 Members should note that whilst the Council has published the Tendring District Local Plan Proposed Submission Draft (2012), the document is yet to be submitted to the Secretary of State and formal adoption cannot take place before it has been examined, consulted on and found to be sound and until that time the relevant emerging policies may possibly be subject to change. When considered in relation to paragraph 216 of the Framework they may be afforded only limited weight.
- 6.23 Based on the above it is considered that, in the absence of up-to-date policies, development proposals cannot be refused solely on the basis that a site is outside the development boundary. Paragraph 14 of the NPPF supports this view when it sets out that where relevant policies are out-of-date planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
- 6.24 On this basis and having regard to paragraphs 14 and 49 of the NPPF, the presumption in favour of sustainable development carries significant weight. As a result the current scheme falls to be considered against the 3 dimensions of 'sustainable development',
- economic,
  - social and
  - environmental roles.
- 6.25 The sustainability of the application site is therefore of particular importance. In assessing sustainability, it is not necessary for the applicant to show why the proposed development could not be located within the development boundary.

### **Economic**

- 6.26 Officers consider that the proposal would contribute economically to the area, for example by providing employment during the construction of the development and from future occupants utilising local services such as the community shop, and so meets the economic arm of sustainable development.

## **Social**

- 6.27 In terms of the social role, the site is within close proximity of some community services with a small community shop and café within walking distance of the site. Wrabness is also on a bus route and there are bus stops on Station Road with services to Harwich, Manningtree and Colchester.
- 6.28 In addition it is noted that Wrabness train station is within walking distance of the site, which connects the village to Harwich and Manningtree and further afield into Colchester and London. These facilities go some way to illustrate the sustainability credentials for the village.
- 6.29 Overall officers consider that the application site performs reasonably in terms of the social role within the definition of sustainability.

## **Environmental**

- 6.30 Further it is noted that the site is located outside but immediately adjacent to the development boundary for Wrabness. On this basis officers are of the view that if this site was inside the development boundary it would, subject to the location of the proposed properties, have resulted in the outline application being approved.
- 6.31 It is acknowledged that, in terms of settlement shape and form, development in this location is unlikely to have a significantly detrimental impact (subject to consideration against other Local Plan policies) as the site immediately adjoins the Settlement Development Boundary in the 2012 Draft Local Plan with a number of residential dwellings to the east of the site, and a small cluster of residential properties to the north-north-west of the site.
- 6.32 As a result, frontage development would effectively mirror existing development on Station Road, and development at the scale proposed would require development to be set back into the site mirroring the Village Hall siting, with the development acting as a natural termination to development on the western side of the village. On this basis officers consider that a more pragmatic approach is justified in this instance.

## **Character and Appearance**

- 6.33 The application is in outline with all matters reserved. However, the indicative drawings submitted with the application suggests that the development would comprise 5 pairs of semi-detached houses (10 houses), and 4 no. detached 4-bed houses. Given that the site measures 0.6 hectares, this equates to 23 dwellings per hectare, which is comparable with the existing settlement pattern and grain of the village.
- 6.34 The indicative layout illustrates that 14 dwellings that would comply with the Councils requirements with regard to parking provision and amenity space as set out in saved policy HG9 of the 2007 Local Plan could be accommodated.
- 6.35 It is considered that frontage development as shown on the indicative drawing would follow the character and appearance of existing development on Station Road. However, the rear gardens to those existing dwellings on Station Road are long and narrow, and would represent an inefficient use of land when assessed today.
- 6.36 The development to the rear of the frontage development could act as a natural termination for development on this side of the village. The properties to the rear of the frontage development would be set back and would be seen in relation to the existing Village Hall, and is not considered to adversely affect the character and appearance of the area.

- 6.37 However, the Village Hall is largely a single-storey building, and therefore careful assessment of the development to the rear of the site would need to be made at reserved matters stage. It is noted that although the indicative drawing refers to houses, the description of the application refers to 'construction of 10 dwellings and 4 affordable houses'. Any reserved matters application could include properties to the rear of the site as single-storey or one-and-a-half storey to respect the existing built form, namely the Village Hall.
- 6.38 The applicant will be informed (through the inclusion of an informative) that a development of solely two-storey construction may not be acceptable and any application for reserved matters would need to consider the siting and building heights of the properties on the site to reflect the established built form along Station Road.
- 6.39 Although design and appearance do not form part of the consideration of this outline application, it is considered that the site is capable of accommodating 14 dwellings in a way that would not result in any adverse impact on the character and appearance of the surrounding area and therefore, officers conclude that the proposed development can be considered as fulfilling the environmental role of sustainable development and consequently does comply with the presumption in favour of sustainable development anticipated in paragraph 14 of the NPPF.
- 6.40 It is noted the site is located within the Coastal Protection Belt (CPB) as shown within the 2007 Local Plan, but largely outside of this designation within the draft 2012 Local Plan to accommodate the urban extension to the defined settlement limits.
- 6.41 The purpose of the CPB is to protect the open character of the undeveloped coastline and avoid development in vulnerable coastal areas. In this instance, the majority of the site is outside of the CPB designation as identified in the 2012 Local Plan. The proposed development is considered to accord with other Development Plan policies, and it will provide a small but identifiable contribution towards the Council's lack of a 5 year housing supply. The benefits of the proposal in delivering housing numbers, including a small proportion of affordable homes, and the ecological enhancements, are considered to outweigh the harm potentially arising from the development upon part of the CPB.
- 6.42 Given the edge of village location, and the complete lack of any natural boundary features on the site's western and southern boundaries, important consideration would need to be given to the boundary treatments of the proposed properties. Close-boarded or panel fencing would not be appropriate on these boundaries. The indicative layout drawing indicates landscape planting on these boundaries to ensure the development is assimilated into its wider countryside setting. However as landscaping is reserved for future consideration, the details are not required at this stage.

### **Neighbouring Amenity**

- 6.43 The NPPF, in 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 Tendring District Local Plan (2007) 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 Tendring District Local Plan Proposed Submission Draft (2012) supports these objectives and states that 'the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'.
- 6.44 The application is in outline form and officers consider that sufficient space is available on site to provide a development that, through the submission of a reserved matters

application, could achieve an internal layout and separation distances that would not detract from the amenities of nearby properties or the future occupiers of the proposed dwellings.

#### *Highway Considerations*

- 6.45 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.
- 6.46 Essex County Council Highways have been consulted on the application (see above for full comments). They raise no objection to the principle of the development and vehicular accesses onto Station Road in this location, but wish for an informative to be added to a permission to state there shall be no vehicular access directly opposite the junction of Church Road. It is however noted that the application site does not extend up to the junction with Church Road in any event.
- 6.47 Notwithstanding the above, the Councils Adopted Parking Standards require that for dwellings with 2 or more bedrooms that a minimum of 2 parking spaces is required. Parking spaces should measure 5.5 metres by 2.9 metres and garage, if being relied on to provide a parking space should measure 7 metres by 3 metres internally. Furthermore, development sites should provide unallocated visitor spaces at 0.25 spaces per residential unit. As a result the proposal would require an additional 4 spaces. It is considered that the site is capable of accommodating this level of parking.

#### **Biodiversity**

- 6.48 Policies within Chapter 6 of the Tendring District Local Plan (2007) and Policy PLA 4 of the Tendring District Local Plan Proposed Submission Draft (2012) seek to ensure that where development is likely to harm nature conservation or geo-diversity interests, planning permission will only be granted in exceptional circumstances. The benefits of the development should clearly outweigh the harm caused and where appropriate mitigation measures must be incorporated into the development to the satisfaction of Natural England and other appropriate authorities.
- 6.49 The application site is devoid of any species rich habitat, with the site mainly comprising an agricultural field in current crop production. The eastern boundary is partly formed by a hedgerow, but this is unlikely to be affected by any proposed development. No part of the development site or any land that it abuts has any type of statutory or non-statutory conservation designations.
- 6.50 Natural England has been consulted on the application, given the proximity of the site to the Stour Estuary SSSI which forms part of the Stour and Orwell Estuaries Wetland of International Importance under the Ramsar Convention (Ramsar Site) and Special Protection Area (SPA). The site is also in close proximity to the Stour & Copperas Woods, Ramsey SSSI. Natural England have confirmed that the development proposed will not damage or destroy the interest features for which the sites have been notified.
- 6.51 However, given the site's edge of village location in proximity to the wider countryside, and in accordance with paragraph 118 of the NPPF, this application provides opportunities to incorporate features into the design which are beneficial to wildlife. For example, roosting opportunities for bats or the installation of bird nest boxes could be secured by condition.
- 6.52 Based on the above it is considered that the development of this site in the manner proposed can be achieved without significant harm to nature conservation or biodiversity

interests in keeping with the aims and objectives of National and Local Plan Policies as set out above.

### **Other Material Considerations**

#### **Section 106 Obligations**

- 6.53 Policy COM6 of the Adopted Tendring District Local Plan (2007) states that residential development below 1.5 hectares in size, where existing public open space facilities are inadequate, shall provide a financial contribution towards the provision of new or improved off-site facilities to meet the projected needs of the future occupiers of the development. This requirement is also set out in Policy PEO22 of the Draft Plan.
- 6.54 With regards to public open space contributions, the Public Experience dept has confirmed there is a deficiency of 0.3 hectares of play and formal open space in Wrabness, and any further development in Wrabness will increase demand on already stretched facilities. As a result, a contribution towards play/formal open space in Wrabness is justified. The applicant in this instance has indicated they are willing to enter into such an agreement to secure any financial contribution to open space provision that might be required.
- 6.55 Policy PEO10 of the draft Local Plan requires that developments of 10 or more dwellings, 25% of new dwellings to be made available to Tendring District Council to acquire at a discounted value for use as Council Housing.
- 6.56 In this instance, the applicant is offering 4 of the 14 dwellings to the Council as affordable housing. This equates to 29% of the development, with 2 x 2-bed and 2 x 3-bed properties being offered. The applicant in their DAS states they contacted the Council's Housing Needs Manager before submitting the application and was informed that there is currently a need within the village for 2 x 2-bed and 1 x 3-bed dwellings, whilst additional demand from neighbouring villages could also be accommodated.
- 6.57 The Council's Housing Needs Manager has been consulted as part of the application consultation process, who confirms the affordable housing provision being put forward within this proposal is acceptable.
- 6.58 Furthermore, Essex County Council Education Services have confirmed the need for section 106 monies. They confirm that there appears to be sufficient early years and childcare places to serve the needs of the development, and also sufficient primary and secondary school places to serve the needs of the development. However, the local school is in excess of the statutory walking distance from the proposed development, and as ECC are obliged to provide free transport to the school, the development would result in long term costs to ECC. On this basis, ECC have requested section 106 monies to cover the financial contributions that would be borne by them.
- 6.59 In respect of ECC Education contributions, the applicant has indicated they are willing to enter into such an agreement.
- 6.60 As a result, draft Heads of Terms have been agreed with the applicant, and a section 106 agreement will need to be drafted by solicitors to accommodate these provisions following the Committees resolution to grant outline planning permission.

#### **Background Papers**

None