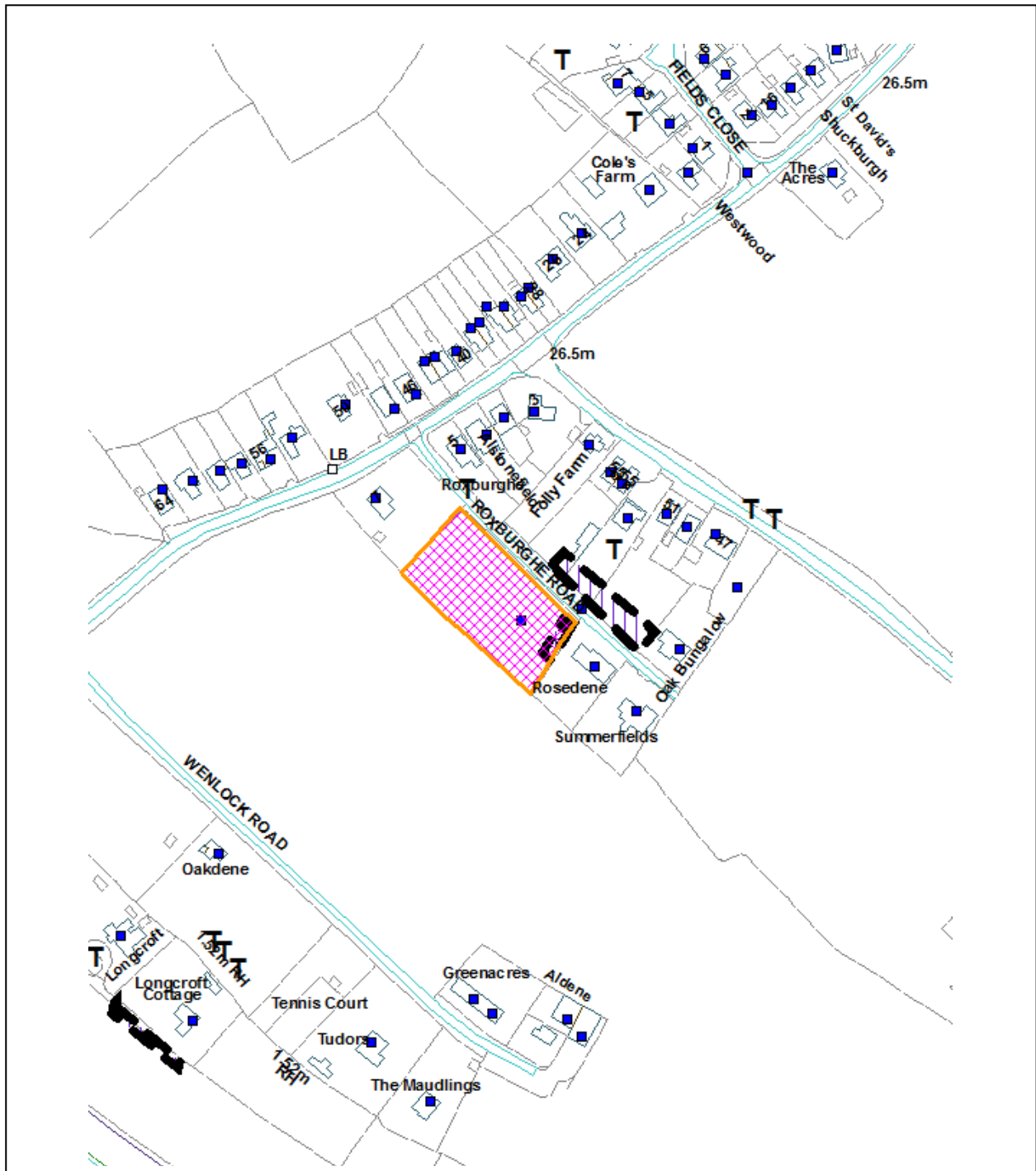


PLANNING COMMITTEE

3 FEBRUARY 2015

REPORT OF THE HEAD OF PLANNING

A.5 PLANNING APPLICATION - 14/01810/DETAIL - PLOT ONE ROXBURGHE ROAD, WEELEY, CO16 9DU



DO NOT SCALE

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Application:	14/01810/DETAIL	Town / Parish: Weeley Parish Council
Applicant:	Mr Brian Crook	
Address:	Plot One Roxburghe Road Weeley CO16 9DU	
Development:	Reserved matters application following outline planning approval 13/00897/OUT - Construction of two storey house on plot one.	

1. **Executive Summary**

- 1.1 Outline planning permission (all matters reserved) was granted at Planning Committee in October 2013 for three dwellings under 13/00897/OUT. The current application for reserved matters approval relates only to Plot one.
- 1.2 In accordance with Members' request the current application is before Members seeking consent with regard to the reserved matters of scale, layout, appearance, access and landscaping.
- 1.3 The site lies outside the defined settlement boundary of the saved Local Plan but within the settlement boundary of the draft Local Plan. The principle of residential development has been accepted by the grant of outline planning permission.
- 1.4 The site is accessed from Roxburghe Road which is an unmade private road off Bentley Road. To the north west corner of the site is a protected Oak tree and to the south east boundary (of Plot 3) is a group of three protected Oak trees and one protected Holly tree. The position of the proposed dwelling is outside the Root Protection Area so will not cause harm to the protected Oak tree.
- 1.5 The proposal has been subject to detailed pre-application discussions and amendments. The design, siting and scale of the proposed dwelling is considered acceptable with no material harm to visual or residential amenity, or highway safety. The application is therefore recommended for approval.

Recommendation: Approve

Conditions:

1. Development to be carried out strictly in accordance with submitted plans
2. Details of hard and soft landscaping to include boundary treatments
3. Parking and turning to be provided prior to occupation and retained thereafter

2. **Planning Policy**

National Policy:

National Planning Policy Framework (2012)

The National Planning Policy Framework states that 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.

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

HG9 Private Amenity Space

COM6 Provision of Recreational Open Space for New Residential Development

TR1a Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan Proposed Submission Draft (2012)

SD1 Presumption in Favour of Sustainable Development

SD3 Key Rural Service Centres

SD5 Managing Growth

SD9 Design of New Development

PE04 Standards for New Housing

PEO22 Green Infrastructure in New Residential Development

SD8 Transport and Accessibility

3. Relevant Planning History

96/01564/OUT	One detached dwelling.	Refused	21.01.1997
01/00493/OUT	Detached four bedroom house with detached double garage and stable.	Refused	03.05.2001
03/00375/OUT	Single dwelling house and double garage.	Refused	24.04.2003
13/00897/OUT	Construction of 3 two storey houses.	Approved	10.10.2013
14/00822/FUL	Construction of new two storey detached house and garaging. (Plot 1)	Withdrawn	04.07.2014

14/00827/FUL

Construction of new two storey detached house and garaging with detached workshop for domestic use. (Plot 3)

Withdrawn

04.07.2014

4. Consultations

- 4.1 Weeley Parish Council: Have no comment
- 4.2 Essex County Council Highways – Observes that Roxburghe Road is classified as a Private Road and therefore does not wish to object to the proposals as submitted.
- 4.3 Principal Tree and Landscape Officer - The site is affected by Tree Preservation Order (TPO) 96/02 that affords protection to a group of trees containing 3 Oaks and 1 Holly situated close to the boundary with Rosedene, as well as a single Oak situated in the northern corner of the application site. The trees are mature healthy specimens that make a positive contribution to the character and appearance of the area. As part of 13/00897/OUT the applicant submitted a full tree survey and report that was in accordance with the recommendations contained in BS5837: 2012 Trees in relation to design, demolition and construction. Appendix 5 of the report Tree Protection Plan (TPP) shows the way in which the Root Protection Areas (RPA's) of the TPO'd trees will be protected for the duration of the construction phase of any consent that may be granted. Although the position of the proposed dwelling on the plot has altered, so that it is closer to a protected tree in the northern corner, the requirements of the TPP remain extant.
- 4.4 The position of the dwelling is outside the RPA so if the requirements of the tree report are adhered to, the development proposal will not cause harm to the tree - although it would be desirable if there were a greater separation distance. Details of soft landscaping will be required to address the treatment of the boundaries and to soften and enhance the appearance of the development.

5. Representations

- 5.1 One letter of support has been received and is summarised as follows:
- Will hugely enhance the area
 - Will provide much needed family housing

6. Assessment

- 6.1 The main planning considerations are:
- Design
 - Highway safety
 - Trees
 - Residential amenity

Proposal

- 6.2 The application seeks reserved matters approval for development of Plot 1, granted outline planning permission under 13/00897/OUT. There are not currently any formal proposals for Plots 2 or 3.
- 6.3 The proposed dwelling is set back around 17.5 metres from Roxburghe Road and is two storey measuring 8.7 metres to the main ridge and 7.1 metres high to the front, side and rear gables. It is to be constructed of brick and coloured render with plain tiles to the roof.

Site location

- 6.4 The site is accessed from Roxburghe Road which is an unmade private road off Bentley Road. The land is generally open grassland with a hedgerow along the rear boundary with open farmland beyond. Towards the front of the site there are clusters of young trees and scrub. To the north west corner of the site is a protected Oak tree and to the south east boundary of Plot 3 is a group of three protected Oak trees and one protected Holly tree.
- 6.5 A detached bungalow (7 Bentley Road) abuts the north west boundary of the site, a detached one and a half storey house (Rosedene) abuts the south east boundary of Plot 3 with two other dwellings also accessed from the private track, with additional rear accesses to some dwellings fronting Mill Lane.

Principle of residential development

- 6.6 The site lies outside the defined settlement boundary of the saved Local Plan but within the settlement boundary of the draft Local Plan. The principle of residential development has been accepted by the grant of outline planning permission. Consideration under this application is therefore limited to only the reserved matters of scale, layout, appearance, access and landscaping.

Design

- 6.7 The proposed two storey dwelling is located between the bungalow at 7 Bentley Road and the two undeveloped plots. Beyond Plot 3 lies a detached one and a half storey house (Rosedene).
- 6.8 The proposed dwelling has been set back around 17.5 metres from Roxburghe Road to avoid the Root Protection Area of the Oak tree and to reflect the general building line. The frontage would provide a generous front garden with parking and turning in front of the dwelling. To the rear a garden of around 325 square metres is provided, significantly in excess of the minimum 100 square metres required by saved policy HG9. Subject to the recommended conditions relating to hard and soft landscaping and the detail of the front boundary wall it is considered that the siting of the proposed dwelling is acceptable. The rear hedgerow boundary is to be strengthened with additional hawthorn planting.
- 6.9 The height, mass, materials and detailed design of the dwelling, including dormer windows and gables, reflects the two dwellings to the south east at Rosedene and Summerfields. The neighbouring bungalow fronting Bentley Road is around 25 metres away and, as demonstrated by the submitted street scene drawing, the proposed dwelling would not appear cramped. The future development of Plots 2 and 3 would be considered in relation to this proposal, if approved, and would need to ensure adequate bulk and spacing to ensure the development reflects the rural character of the area. Plot 3 is heavily constrained by the Root Protection Areas of the protected trees along the boundary with Rosedene, which will result in a smaller property on that plot reflecting the variety of dwellings in the immediate area.

Highway safety

- 6.10 Roxburghe Road is an unmade private road and is subject to maintenance by the existing residents.
- 6.11 The Highway Authority has no objection to the proposal. A Construction Method Statement to provide details of parking, loading, turning, wheel and under body washing and storage of plant and materials during the construction period is required under the outline planning permission.

- 6.12 The proposal includes a large turning area within the site and off street parking for at least two cars. There is also an integral 'store room' with garage door to the front which, although 1.5m too shallow to be considered as a garage under the adopted parking standards, could physically accommodate one car. The proposal therefore provides sufficient off street parking to meet the needs of the dwelling. Subject to a condition securing the parking and turning areas prior to occupation of the dwelling the proposal would be acceptable in highway safety terms.

Trees

- 6.13 To the south east boundary of Plot 3 is a group of three protected Oak trees and one protected Holly tree which are around 50m from the proposed dwelling. To the north west corner of the site is a protected Oak tree. The trees are mature, healthy specimens that make a positive contribution to the character and appearance of the area. An arboricultural impact assessment was provided with the outline planning application and a condition was imposed ensuring the recommendations contained within (relating to the extent of the Root Protection Areas and the physical protection of the tree roots) shall be carried out.
- 6.14 The proposed dwelling lies outside, but within half a metre of the Root Protection Area of the Oak Tree. This siting would therefore be unlikely to cause any significant harm to any of the protected trees.

Residential amenity

- 6.15 The neighbouring bungalow fronting Bentley Road is around 25 metres away with the two storey element of the proposed dwelling retaining at least three metres separation to the boundary. The proposal would therefore result in no material loss of light or outlook to this property.
- 6.16 There are no first floor windows on the elevation facing the neighbour and the first floor balcony on the rear elevation is 11 metres from the boundary, providing views over the fields to the rear. The proposal would therefore result in no material loss of privacy.

Background Papers

None