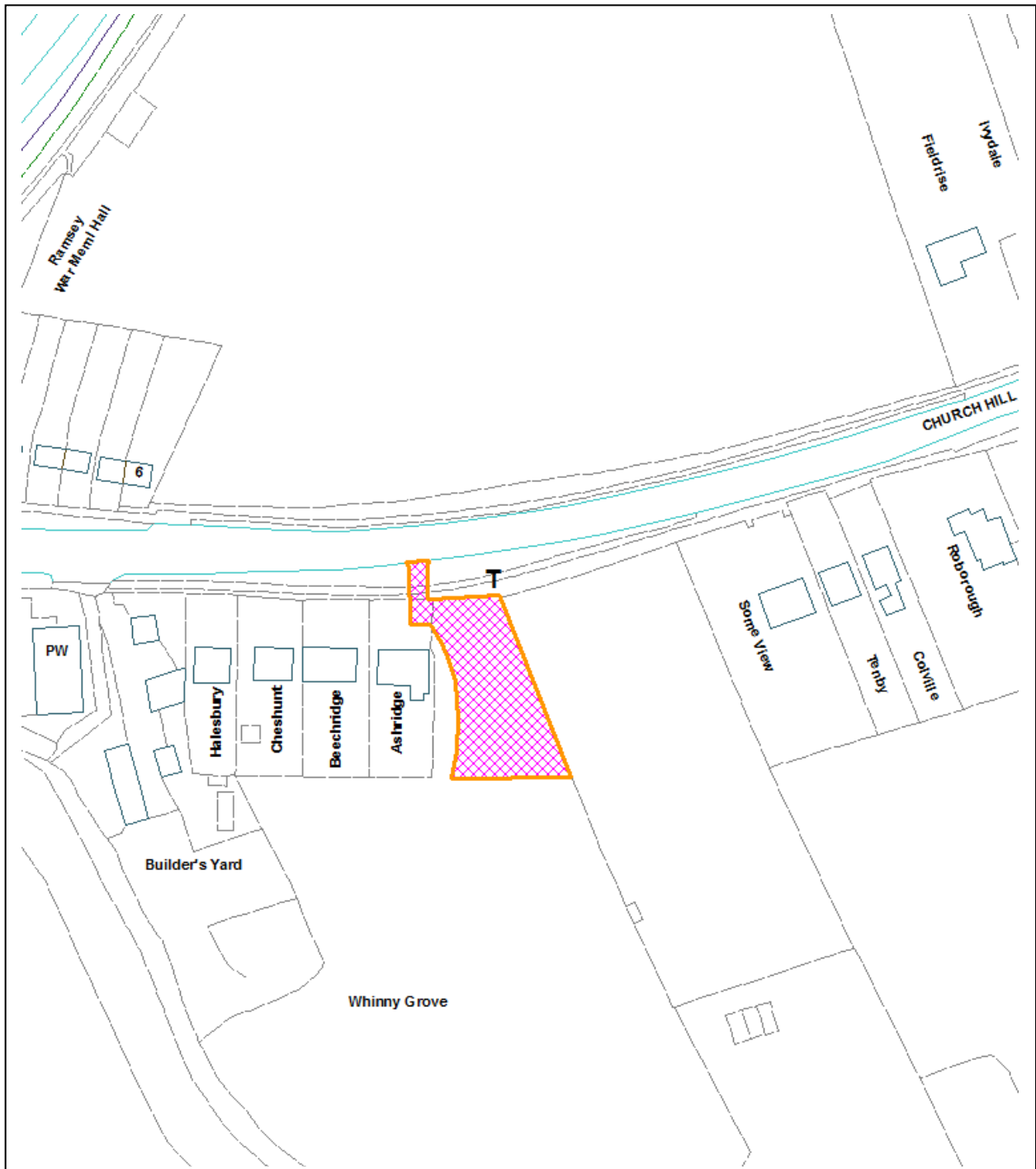


PLANNING COMMITTEE

2 JUNE 2015

REPORT OF THE HEAD OF PLANNING

A.1 PLANNING APPLICATION - 15/00574/FUL - ASHRIDGE, CHURCH HILL, RAMSEY, HARWICH, CO12 5EX



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Application:	15/00574/FUL	Town / Parish: Ramsey & Parkeston Parish Council
Applicant:	Mr & Mrs M De Roy	
Address:	Ashridge Church Hill Ramsey Harwich CO12 5EX	
Development:	Proposed 1 x 4 bedroom dwelling within the side garden area of Ashridge, Church Hill, Ramsey.	

1. Executive Summary

- 1.1 This application has been referred to Planning Committee as it has been called in by Cllr N Turner. The reasons cited are that the proposal, along with a row of bungalows would be neatly bookended by an existing hedge to the east, thereby providing a more natural boundary to these dwellings.
- 1.2 The application seeks planning permission for the erection of a single dwelling by way of a full planning application. The application site lies on the southern side of Church Hill, adjacent to Ashridge. The site slopes steeply and has recently been cleared except for a large, mature oak tree on the front boundary. The site is approximately 300m and 350m outside the settlement boundaries of Ramsey and Dovercourt respectively. The site forms part of the Local Green Gap between Ramsey and Dovercourt with Whinney Grove, a Local Wildlife Site to the south and a public right of way on the eastern boundary.
- 1.3 Whilst the proposal for a dwelling outside the settlement boundary would not normally be acceptable in principle due to its impact on the countryside, the lack of a 5-year supply of housing obliges the Council to consider whether it would constitute sustainable development. Despite marginal economic and social sustainability, the proposed would be harmful environmentally to an extent to outweigh the marginal benefits of the scheme. In doing so the proposal would not be considered sustainable development.

Recommendation: Refuse

Reason for Refusal:

1. **On this open site in the countryside the proposal for a dwelling would be contrary to Paragraph 14 of the NPPF, Saved plan Policies EN1, EN2 and Draft plan Policies SD5 and SD6 as the marginal economic and social benefits would be materially outweighed by environmental harm the proposal would cause and would thereby not constitute sustainable development.**

2. Planning Policy

National Policy

NPPF National Planning Policy Framework

National Planning Practice Guidance

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
- EN1 Landscape Character
- EN2 Local Green Gaps
- EN11C Protection of Local Sites: Local Nature Reserves, County Wildlife Sites, Regionally Important Geological/Geomorphological Sites
- 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
- SD5 Managing Growth
- SD6 Strategic Green Gaps
- SD8 Transport and Accessibility
- SD9 Design of New Development
- PEO4 Standards for New Housing
- PLA4 Nature Conservation and Geo-Diversity
- PLA5 The Countryside Landscape

Other Guidance

Essex County Council Car Parking Standards - Design and Good Practice

3. Relevant Planning History

15/00185/FUL. Erection of 1 x 4 bedroom dwelling within the side garden area of Ashridge Church Hill Ramsey. Refused (30.03.2015).

4. Consultations

- 4.1 The Highways Authority have raised no objection to the proposal subject to conditions relating to:
 - Minimum width requirement for driveway

- No unbound materials to be used
- Provision of a vehicular turning facility
- All off-street car parking to be in accordance with adopted parking standards
- Gradient of proposed access not to exceed 4% for at least the first 6m
- Scheme to show details of preventing the discharge of surface water from the development onto the highway
- Scheme of bicycle storage
- Construction method statement

4.2 The Council's Tree and Landscape Officer has responded, stating that the site is affected by 2 no. TPOs. One for Whinney Grove situated to the south of, and outside of, the application site and one for a large oak on the front boundary. The proposed scheme shows a minor incursion into the Root Protection Plan of the large TPO oak, but is deemed to be very minor and will not have an adverse impact on the health or long term viability of the tree.

4. Representations

4.1 Ramsey & Parkeston Parish Council have raised no objection to the proposal.

4.2 One letter of objection has been received from a member of the public, stating that the front building line does not accord with neighbouring dwellings. Furthermore, the plot is extremely elevated and out of character with the rural village setting on Church Hill.

4.3 Cllr Turner has called in the proposal. Whilst citing some site difficulties relating to the slope on the site and a shared vehicular access, the proposal has some benefits. These benefits are that the presence of an existing hedgerow to the east of the site would more neatly bookend the existing row of bungalows than the existing arrangement.

5. Assessment

5.1 The main planning considerations are:

- Context and Background;
- Proposal;
- Planning History;
- Policy Context;
- Principle of Development;
- Impact on Landscape;
- Wildlife, Ecology and Trees;
- Highway Safety;
- Residential Amenity; and,
- Housing Supply.

Context and Background

6.2 The 0.1 hectare site is located at land adjacent to "Ashridge" on the southern side of Church Hill and is outside the Settlement Development Boundaries as established in the saved and draft local plans and is therefore considered to form part of the countryside. The nearest defined settlement boundaries (as set out in the saved local plan) are Ramsey (300m to the west) and Dovercourt (350m to the east). Although in the draft local plan, the Dovercourt boundary is now 100m from the application site. The site is designated as a "Local Green Gap" and is adjacent to a Public Right of Way to the east and south and a Local Wildlife Site to the south. An overgrown scrubland is found to the east and a short series of detached bungalows is found to the west. The site slopes steeply and has recently been cleared except for a large, mature oak tree on the front boundary.

Proposal

- 6.3 The proposal is a full planning application for 1 no. 4-bedroom dwelling.

Planning History

- 6.4 A planning application for an identical application to this current application was recently refused under delegated powers. However, the same application has now been re-submitted as it was intended for the application to be called-in to the planning committee.

Policy Context

- 6.5 The National Planning Policy Framework (NPPF) states that applications for residential development should be considered in the context of the presumption in favour of sustainable development and thereby comprises economic, social and environmental elements. To promote sustainable development in rural areas outside of defined settlement boundaries, housing should be located where it will enhance or maintain the vitality of rural communities. This presumption in favour of sustainable development should be seen as a golden thread running through both plan-making and decision-taking. Draft Policy SD1 states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the Framework.
- 6.6 Saved Policy EN1 (Landscape Character) states that 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." In landscape terms and with reference to the Tendring District Landscape Character Assessment (TDLCA), the site falls within the area classified as Coastal Ridges/Peninsulas (4A The Oakley Ridge). This area is characterised by prominent gravel-topped ridges with long views across the open landscape.
- 6.7 As stated in the preamble to saved Plan Policy EN2 (Local Green Gaps), the primary purpose and function of Local Green Gaps (or Strategic Green Gaps as named in the draft local plan) is to maintain separation between the main urban areas of the District and to preserve the open character and maintain the individual character and landscape setting of settlements. Furthermore, Local Green Gaps also have a positive role to play in urban containment and thereby contributing to the more efficient use of existing urban land and infrastructure.

Principle of Development

- 6.8 The proposed dwelling is located beyond the Settlement Development Boundaries established in the saved and draft local plans and is therefore subject to the Council's policies on the countryside. However, given that the Council does not have an up-to-date supply of housing, proposals are being considered in accordance with the provisions of the NPPF and should represent sustainable development.
- 6.9 Sustainable development is composed of three key elements; namely economic, social and environmental. In this instance the provision of a new dwelling would provide some, albeit relatively minor, economic benefit.
- 6.10 In terms of its social impact it is necessary to consider the distance to important destinations such as healthcare, education, convenience shopping and jobs. The nearest established settlements are Ramsey and Dovercourt, whose boundaries are approximately 300m and 350m away respectively, although services and facilities within these important

destinations are located further afield. In the draft local plan Ramsey village is defined as a "smaller rural settlement". As set out in "Establishing a Settlement Hierarchy" (July 2014), in terms of services and facilities Ramsey has a primary school and good bus routes, but no GP services, no defined village centre, no defined employment area and no railway station. Dovercourt is defined as an "urban settlement" and has a wide range of services and facilities. A primary school and convenience shopping are relatively close to the site, whilst GP services, the town centre (with employment opportunities) are more distant at approximately 2-3 miles eastwards of the site, but linked by buses to the application site. On this basis, the proposal would be of marginal social sustainability.

- 6.11 Environmentally, it is necessary to consider the impact on the character and appearance of the landscape and ecological matters too. The site is located in an area designated as "Local Green Gap" in the saved local plan and "Strategic Green Gap" in the draft local plan. Local Green Gaps are so designated to keep them open and free of development. This is to prevent the coalescence of settlements and to protect their rural settings.
- 6.12 The proposed development is of two storeys height, although the proposal is partly sunk into the hillside, reflecting the steep topography of the site and Church Hill. The proposal would be evident in the streetscene a fact heightened by its location on the outside of a slight bend of Church Hill. It would also be adjacent to a public right of way on its eastern and southern boundary, which would increase its prominence in the public realm and the landscape.
- 6.13 In the applicant's Planning Statement they claim that the land is within the residential curtilage of Ashridge. However, the Council does not share this opinion for various reasons. Crucially, there is no evidence to support the applicant's position. Whilst the land may be within the same ownership as Ashridge, it does not follow that it is automatically within its residential curtilage. Evidence compiled by the Council, using aerial photographs, Google "Streetview" photographs, planning officer photographs from a site visit to Ashridge in June 2013 as well as a site visit in conjunction with this latest application do not suggest or confirm the use of the application site as within the residential curtilage of Ashridge. This can be seen in the lack of outbuildings, grounds maintenance, steep site topography and brick wall boundary treatment between the application site and Ashridge. Whilst a matter of fact and degree, aside from site ownership there is no evidence to support the applicant's position and therefore the site is not considered to be within the residential curtilage of Ashridge and does not offer the fall-back this affords.
- 6.14 Given these characteristics, the proposal would urbanise the site with the incremental addition of ribbon development along the southern side of Church Hill. This would be in direct conflict with the aims of the countryside policies and the site's designation as Local/Strategic Green Gap.
- 6.15 Environmental considerations also extend to the impacts on local wildlife. The site lies adjacent to an area of local wildlife importance. On this basis a Phase 1 Habitat Survey has been submitted with the application. In their consultation response Natural England have raised no direct objection, although they refer the Local Planning Authority to consider their standing advice for such sites. The standing advice, in conjunction with the habitat survey, recommends proceeding with the application with mitigation proposals secured by condition.
- 6.16 Therefore, whilst the ecological impact can be overcome through appropriate conditions, there are significant issues in terms of landscape character and appearance.
- 6.17 In considering all three elements of sustainable development, the significant environmental harm would not be sufficiently outweighed by economic or social considerations to an extent that the proposal would not be considered sustainable development.

Impact on Landscape

- 6.18 The impact on the landscape is considered more fully above, but by virtue of location on Church Hill, which is designated as being part of the countryside and a Local/Strategic Green Gap would result in the incremental urbanisation of the site and erosion of an important visual break in the built form between “Ashridge” and “Some View” to the east of the site. The proposal would therein be harmful to the character and appearance of the countryside and be contrary to saved plan Policy EN1, draft plan Policy PLA5 and Paragraph 109 of the NPPF, which all seek to protect and enhance valued landscapes.

Wildlife, Ecology and Trees

- 6.19 Subject to the attachment of planning conditions to address new external artificial lighting, the proposal would, as detailed in the submitted Phase 1 Habitat Survey, not result in any material harm to local wildlife and ecology. As these issues can be successfully overcome by planning conditions, there would be no material harm to local wildlife or ecology.
- 6.20 The Council’s Tree and Landscaping Officer has responded, stating that the site is affected by 2 no. TPOs. One for Whinney Grove situated to the south of the application site and one for a large oak on the front boundary. The proposed scheme shows a minor incursion into the Root Protection Plan of the large TPO oak, but is deemed to be very minor and will not have an adverse impact on the health or long term viability of the tree.

Residential Amenity

- 6.21 The proposal has sufficient private amenity space in excess of the minimum set out in saved plan Policy HG9. In terms of overlooking, there would be some overlooking of the rear garden of Ashridge from proposed bedroom 4. However, this would not be material because of the separation distance and the intervening single storey garage that would provide a degree of shielding.

Highway Safety

- 6.22 The proposal sets out 2 no. off-street parking spaces in accordance with the Essex Parking Standards (2009). The Highways Authority have raised no objection to the proposal subject to the conditions listed above under “Consultations”. On this basis, the proposal would cause no material harm to highway safety.

Housing Supply

- 6.23 The proposal would make a very small contribution (1 no. dwelling) towards the Council’s housing targets, which would support the proposal.

Conclusion

- 6.24 As the site is outside of the established settlement development boundaries, the Council, in the absence of a 5-year supply of housing is obliged to consider whether the proposal would constitute sustainable development. This requires the consideration of economic, social and environmental matters. The site would make a marginal benefit economically and socially. However, the site is in a prominent location in the countryside, on a site designated as “Local Green Gap”. Such a development would cause significant material harm environmentally and would outweigh the marginal economic and social benefits so as to not constitute sustainable development. Such a conclusion would be similar to the conclusion reached by the Planning Inspectorate for the proposed development of 3 no. dwellings at Back Lane East in Hare Green, Great Bromley (PINS ref: APP/P1560/A/14/2229002), which was dismissed.

6.25 The proposal would have no material harm, subject to conditions, in relation to ecology, trees, residential amenity or highway safety.

Background Papers

None.