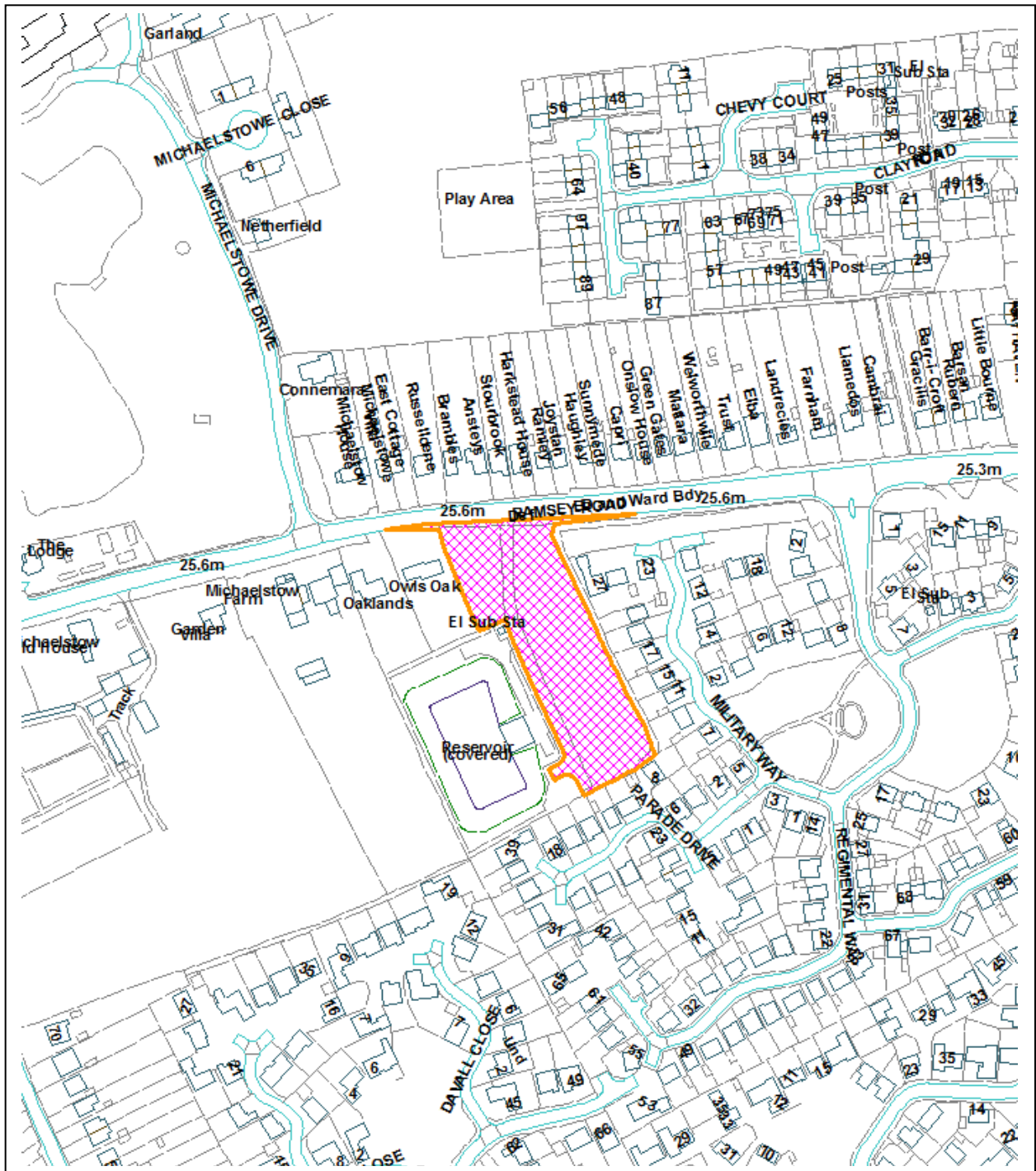


PLANNING COMMITTEE

25 August 2015

REPORT OF THE HEAD OF PLANNING

**A.6 PLANNING APPLICATION - 15/00911/OUT - LAND ADJACENT OWLS OAK
RAMSEY ROAD, DOVERCOURT, CO12 4TF**



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Application:	15/00911/OUT	Town / Parish: Harwich Town Council
Applicant:	Mr Simon Milliken - Affinity Water Ltd	
Address:	Land adjacent Owls Oak Ramsey Road Dovercourt CO12 4TF	
Development:	Erection of 2 x 2 storey detached dwellings and 2 detached garages. Erection of 7 bungalows and 7 detached garages. New access road. Hard and soft landscaping and associated works.	

1. **Executive Summary**

- 1.1 The application has been referred to Planning Committee because it represents a departure from the Saved Local Plan as it is located outside the settlement development boundary of the Saved Plan.
- 1.2 The application is a resubmission of 10/01360/OUT which was approved by Members at Planning Committee on 30th March 2011 alongside application 10/01333/FUL for a reservoir on the remainder of the site. The reservoir has now been constructed but the outline permission for the dwellings has expired.
- 1.3 This is an outline planning application with all matters reserved for later consideration. The access, appearance, landscaping, layout, and scale shown on the submitted plans are therefore indicative.
- 1.4 The site lies to the south side of Ramsey Road, outside but abutting the defined settlement limits of the Saved Plan and on land allocated under Saved Policy COM31 for water supply. The site lies within the defined settlement limits of the Draft Plan. To the immediate southern and eastern boundaries lies two-storey residential development on Military Way and Parade Drive. To the northern boundary on the opposite side of Ramsey Road lies residential development and to the immediate west is the completed reservoir. The visual character of the site would be mostly connected with the residential development to the south and east rather than the open countryside to the west. In the absence of a five year housing land supply the site is considered to comply with all three strands of sustainable development (economic, social and environmental) and the principle of residential development is therefore accepted. The residential development of this sustainable site in close proximity to local services and facilities would not represent a form of development detrimental to the character and setting of the surrounding countryside, and would not result in any significant adverse impact upon residential amenity or highway safety.

Recommendation: Approve

Conditions:

- Standard time limit and submission of reserved matters condition
- List of approved plans
- Garages and parking spaces to comply with adopted parking standards
- Vehicular accesses to be 3.7m wide with dropped kerb
- Garages set back minimum 6m from highway
- Details of bicycle storage
- Construction method statement
- No unbound materials within 6m of highway boundary
- Recommendations of habitat survey

- Contaminated land condition
- Permeable paving
- Plots 3 to 9 shall not exceed one storey in height
- Details of materials to be used in construction

2. Planning Policy

National Policy:

National Planning Policy Framework (2012)

The Framework attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Housing applications should be considered in the context of the presumption in favour of sustainable development.

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
- COM31 Water Supply
- EN1 Landscape Character
- 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
- SD2 Urban Settlements
- SD5 Managing Growth
- SD8 Transport and Accessibility
- SD9 Design of New Development

PEO1 Housing Supply

PEO4 Standards for New Housing

Other guidance:

Essex County Council Car Parking Standards - Design and Good Practice

3. **Relevant Planning History**

04/00643/LUEX	Use of the site for the storage of vehicles and tractor units. Maintenance activity including basic repairs not associated with garage services.	Refused	23.05.2006
09/00984/OUT	Erection of 2 no.detached two-storey dwellings, 2 no. detached double garages and creation of new vehicular access.	Approved	26.11.2009
10/01333/FUL	Construction of service reservoir, access road and security fencing.	Approved	07.04.2011
10/01360/OUT	Erection of 2 No detached two-storey dwellings and 2 No detached double garages, 7 No detached bungalows and 7 No garages, and creation of new access road.	Approved	07.04.2011

4. **Consultations**

Harwich Town Council No objection to this application however we do have concerns about the existing access/egress on the site in question in that the road is badly positioned for traffic coming out of there. As such Harwich Town Council would request that the access/egress is constructed in such a manner as to ensure safe sightlines and take into consideration the alteration in speed limits on the adjoining major road.

ECC Highways No objection subject to:

1 All off street car parking shall be in precise accord with the details contained within the current Parking Standards.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety.

2 Prior to the first occupation of the proposed dwellings, each of the proposed vehicular accesses shall be constructed to a width of 3.7m and shall be provided with an appropriate dropped kerb connection to the existing road to the specifications of the Highway Authority.

Reason: To ensure that all vehicles using the private drive access do so in a controlled manner, in the interests of highway safety.

3 Any garage provided with its vehicular door facing the highway or proposed highway, shall be sited a minimum of 6m from the highway boundary.

Reason: To ensure that the vehicle to be garaged may be left standing clear of the

highway whilst the garage door is opened and closed, in the interests of highway safety.

4 Prior to commencement of the proposed development, details of the provision for the storage of bicycles for each dwelling, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted and shall be maintained free from obstruction at all times for that sole purpose in perpetuity.

Reason: To promote the use of sustainable means of transport.

5 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 and under body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety.

6 No unbound materials shall be used in the surface treatment of the proposed vehicular access within 6m of the highway boundary.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety.

Natural England No objection subject to compliance with standing advice.

Environmental Health Due to the proximity of the proposed development to the historic military site the contaminated land condition is applied to the application/decision in respect to the garden areas of the proposed properties.

5. **Representations**

None received.

6. **Assessment**

The main planning considerations are:

- Principle of Development
- Residential Amenity
- Highway Safety

Proposal

6.1 This is an outline planning application with all matters reserved for later consideration. The access, appearance, landscaping, layout, and scale shown on the submitted plans are therefore indicative and Members are being asked to consider the principle of development of the site for two two-storey dwellings and seven bungalows.

Context

6.2 The site lies to the south side of Ramsey Road, outside the defined settlement limits and on land allocated under Saved Policy COM31 for water supply. The site is predominantly open grassland with some hedgerow and planting to the boundaries. To the immediate southern

and eastern boundaries lies two-storey residential development on Military Way and Parade Drive. To the northern boundary on the opposite side of Ramsey Road lies residential development and to the immediate west is the new reservoir site with Michaelstowe Farm beyond.

Principle of Development

- 6.3 The site is allocated under Saved Policy COM31 for water supply which states the Council will support proposals that provide for the maintenance and improvement of water supply infrastructure and services and will safeguard sites identified for future water supply development. The reservoir approved and built under 10/01333/FUL only required approximately two thirds of this site so the remainder is being sought for residential development.
- 6.4 The site lies outside but abutting the defined settlement limits of the Saved Plan and within the defined settlement limits of the Draft Plan. Dovercourt is identified as a Town within Saved Policy QL1 and as an Urban Settlement within Draft Policy SD2. Given the limited weight that can be applied to the draft Local Plan, and the status of Saved Policy QL1 in the absence of a five year housing land supply, assessment of the principle of development falls to be considered under the National Planning Policy Framework.
- 6.5 Paragraph 49 of the Framework states 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. It is accepted that the Council cannot demonstrate a deliverable 5 year housing land supply. 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 Framework 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.
- 6.6 As a result the proposal falls to be considered against the three dimensions of 'sustainable development'. The proposal would contribute economically to the area, by providing employment during the construction of the development and from future occupants utilising local services, and so meets the economic arm of sustainable development. In terms of the social role, the site is within close proximity of the wide range of local amenities and services within Dovercourt and Harwich and the location is therefore considered to be socially sustainable.
- 6.7 There are no important trees or other significant vegetation on the application site. Details of soft landscaping will be considered at reserved matters stage to ensure that a belt of new planting, containing trees, is planted on the boundary with Ramsey Road. This will link to the existing and established vegetation to the east and west of the application site and provide a pleasant screen into and out of the development site. The adjacent property known as Owls Oak is affected by Tree Preservation Order 92/53/TPO. The trees covered by the TPO and potentially affected by the development of the land are a group of 3 Holly on the eastern boundary of the property these are not considered to be a significant constraint on the development and the indicative site layout shows that a satisfactory separation between the trees and the closest dwelling can be achieved.
- 6.8 An extended phase 1 habitat survey has been undertaken. The site has the potential to support nesting birds and reptiles and be utilised by foraging bats. The following recommendations are made: Staged scrub clearance by hand strimmer to ensure reptiles are not present; removal of any young trees and brambles outside bird nesting season; restrictions on external lighting to reduce the impact upon bat foraging and commuting

habitat Subject to the recommendations there is considered to be no significant adverse impact upon protected species.

- 6.9 Whilst the application site is on the edge of the defined settlement limits of the Saved Plan, it would be segregated from the open countryside by the new reservoir which forms the western boundary of the site. The visual character of the site would be mostly connected with the residential development to the south and east rather than the open countryside to the west and a condition restricting plots 3 to 9 to one storey in height will minimise the landscape impact of the dwellings not fronting Ramsey Road. Accordingly, the residential development of this sustainable site in close proximity to local services and facilities would not represent a form of development detrimental to the character and setting of the surrounding countryside and would meet the environmental arm of sustainable development.
- 6.10 Although the access, appearance, landscaping, layout, and scale of the proposed development are reserved for later consideration indicative drawings have been submitted to illustrate how the site could be laid out to accommodate the proposed dwellings. Two large detached two-storey dwellings are proposed to the frontage in keeping with the character of existing development on the south side of Ramsey Road. Seven detached bungalows are proposed within the site and abutting the rear gardens of dwellings on Military Way and Parade Drive. It is considered that the site can adequately accommodate nine dwellings.

Residential Amenity

- 6.11 The principle of the two houses at the site frontage was accepted under 09/00984/OUT. The current proposal as approved in 2011 separates the dwellings to provide the vehicular access through the centre of the site to reduce the impact of the vehicular access on existing dwellings. It is stated the proposed bungalows would be 4.5m-5.3m high and would not therefore have any first floor accommodation. It is considered that a detailed design could be achieved to prevent any overlooking to neighbouring dwellings and to retain adequate separation to the boundaries in order to preserve the residential amenity of neighbouring two-storey dwellings on Military Way and Parade Drive.
- 6.12 The access road is at least 28 metres away from existing dwellings with a turning head 2 metres from the southern boundary. It is not considered that the noise generated by the traffic associated with nine dwellings accessing the site would result in a significant adverse impact upon residential amenity.
- 6.13 The indicative layout shows adequate private amenity space to each dwelling in accordance with Saved Policy HG9.

Highway Safety

- 6.14 The indicative layout shows one garage and a private driveway to each dwelling and it is considered that a detailed proposal providing off street parking to each dwelling in accordance with the adopted parking standards can be achieved.
- 6.15 The Highway Authority has no objection subject to the imposition of six conditions as detailed at paragraph 4 above. These are included within the recommendation.

Background Papers

None