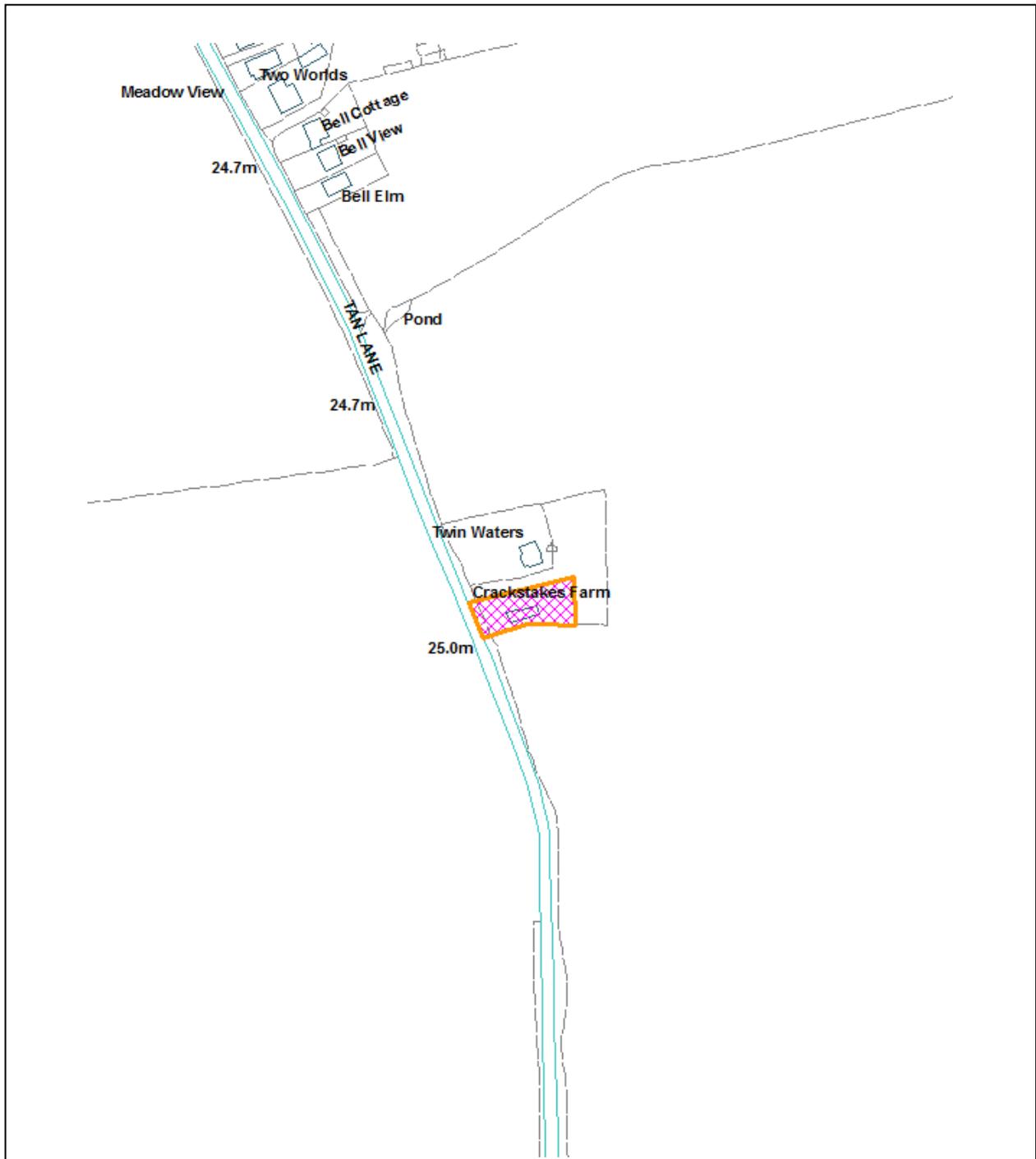


PLANNING COMMITTEE

22 September 2015

REPORT OF THE HEAD OF PLANNING

A.4 PLANNING APPLICATION - 15/01150/OUT - CRACKSTAKES FARM TAN LANE, LITTLE CLACTON, CO16 9PS



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Application:	15/01150/OUT	Town / Parish: Little Clacton Parish Council
Applicant:	Miss Y U Clark	
Address:	Crackstakes Farm Tan Lane Little Clacton CO16 9PS	
Development:	Outline planning application with all matters reserved for demolition of existing buildings and erection of one detached dwelling.	

1. Executive Summary

- 1.1 This application has been referred to Planning Committee at the request of Cllr. M Brown.
- 1.2 The application seeks outline planning permission, with all matters reserved for the erection of a single detached dwelling.
- 1.3 The application site is situated on the eastern side of Tan Lane and is currently occupied by a touring caravan site which has 1 tent pitch and 4 caravan pitches. The site lies outside of the Settlement Development Boundary of both the Saved and Draft Local Plans. The same proposal was submitted under 15/00497/OUT and refused under delegated powers on the grounds that the location of the site is socially unsustainable, resulting in dependence on private transport.
- 1.4 The proposal raises no objection within regard to highways, landscape impact or impact on neighbours. However, there is considered to be a principle objection to the proposal as it would lead to residential development outside of the defined settlement boundary in an unsustainable rural location with regard to access to facilities such as employment and education, and would be detrimental to the principles of sustainable development.

Recommendation: Refuse

Reason for Refusal:

In this case, the proposal is located in a location outside of any defined settlement limits as defined by Policy QL1 of the Tendring District Local Plan 2007 as well as Policy SD5 of the Tendring District Local Plan: Proposed Submission Draft 2012 as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014). Saved Policy QL1 follows established principles for sustainable development and seeks to concentrate new development within established settlements. Elsewhere, only development which is consistent with countryside policies will be permitted.

It is accepted that the Council is currently unable to demonstrate a five year supply of deliverable housing sites but the provision of one dwelling would make only a modest contribution to the supply for the district as a whole. As an adequate supply of land for housing cannot be demonstrated, paragraph 49 of the National Planning Policy Framework (NPPF) applies in relation to the three dimensions of sustainable development. In regard to the social impact it is necessary to consider the distance to important destinations such as healthcare, education, convenience shopping and jobs. The nearest established settlement is Little Clacton, the settlement boundary of which begins some 930m to the north-west along a rural road without any pedestrian footpaths. Furthermore, the nearest convenience store lies some 1580m to the north-west and the main facilities within the centre of Little Clacton are some 2740m from the application site. As such the vast majority of journeys undertaken to important destinations will be via private car. Consequently the proposed development cannot be considered sustainable and therefore fails to meet the test outlined in the National Planning Policy Framework.

The Local Planning Authority is of the opinion that the development, if approved, would result in a development of the site that would lead to residential development outside of the defined settlement limits in an unsustainable rural location with regard to access to facilities such as employment and education, which would set an undesirable precedent and be detrimental to the principles of sustainable development.

2. **Planning Policy**

National Policy:

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

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

PEO4 Standards for New Housing

PLA5 The Countryside Landscape

Other guidance:

Essex County Council Car Parking Standards - Design and Good Practice

3. **Relevant Planning History**

15/00497/OUT	Outline planning application with all matters reserved for the erection of one detached dwelling.	Refused	29.05.2015
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4. **Consultations**

4.1 **Environmental Health**

No objections subject to inclusion of condition relating to the possible presence of land contamination

4.2 ECC Highway

No objections subject to the following conditions/mitigation;

- any garage being set back 6m from the highway
- all off-street parking being in accordance with current parking standards
- submission of details of a vehicular turning area for motor cars

5. Representations

- 5.1 The proposal has been referred to Planning Committee by Cllr. M Brown. He states this is a sustainable brownfield site with no traffic, neighbour or flood risk issues and has main services. The applicant was not given a fair hearing previously.
- 5.2 1 letter of no objection has been received from a local resident relating to their comments on the previous application which relate to the water supply not affecting their own supply, that a footpath and adequate lighting is required in this location, and that any new dwelling should be designed to avoid an impact upon their amenity.
- 5.3 Little Clacton Parish Council have no objections on condition that a sewer/water drainage system is installed.

6. Assessment

The main planning considerations are:

- Context and Background;
- Proposal;
- Policy Context/Principle of Development;
- Impact Upon Surroundings
- Residential Amenity;
- Highway Safety.

Context and Background

- 6.1 The application site is located on the eastern side of Tan Lane in the parish of Little Clacton. The area is outside of any development boundary in both the Saved and Draft Local Plans and is rural in character. The application site itself is currently in use as a caravan/camping site and has 1 tent pitch and 4 caravan pitches. Part of the land is occupied by a static caravan. The site also accommodates a large detached garage/storage building. To the north of the site is a neighbouring detached two-storey dwelling. To the west, east and south are open agricultural fields. The southern boundary and the frontage of the site is marked by a 2 metre high hedgerow of native species. The northern boundary is marked by 1.8m close boarded fencing and a 2m high fern hedge. The rest of the site is laid to lawn with small ornamental fruit trees.

Proposal

- 6.2 This application proposes the erection of a single detached dwelling. The application is in outline form with all matters reserved.
- 6.3 Following the recent refusal of 15/00497/OUT the applicant has provided additional justification for their proposal. She refers to two recent appeal decisions offering support for her proposal: One at Church Farmhouse, Mistley Heath which is not considered comparable as that site lies within the draft settlement development boundary and was very close to a bus stop linking to a wide range of services in Mistley so was deemed to be

socially sustainable by the Inspector. The second appeal decision is at 2 St Osyth Road East which again is not considered comparable as that site was agreed as being socially sustainable by Officers as it is sited much closer to the existing settlement and services. It is also stated the closure of the existing campsite will result in a decrease in vehicular movements. Reference is also made to a public footpath nearby linking to the shops and services on The Street, however this is around 600 metres along the road to the south of the site with no footpath, and is a total distance of around 1880 metres to The Street so is not considered likely to be used for the day to day needs of future residents by virtue of its condition being a track across the fields and its distance.

Policy Context/Principle of Development

- 6.4 The Tendring District Local Plan (2007) is referred to as the saved plan and the Tendring District Local Plan: Proposed Submission Draft (2012) as amended by The Tendring District Local Plan: Pre-Submission Focussed Changes (2014) is referred to as the draft plan. The 2012 and 2014 plan has not yet been formally adopted and therefore carry limited weight. More weight must be given to the NPPF and the saved policies where in accordance with the NPPF.
- 6.5 The site lies outside of the Settlement Development Boundary of the Saved and Draft Local Plans. It is accepted that the Council is currently unable to demonstrate a five year supply of deliverable housing sites but the provision of one dwelling would make only a modest contribution to the supply for the district as a whole.
- 6.6 As an adequate supply of housing cannot be demonstrated paragraph 49 of the NPPF applies in relation to the three dimensions of sustainable development. The proposed dwelling would generate economic activity during its construction and subsequent occupation so would meet the economic dimension of sustainable development.
- 6.7 In regard to the social impact it is necessary to consider the distance to important destinations such as healthcare, education, convenience shopping and jobs. The nearest established settlement is Little Clacton, the settlement boundary of which begins some 930m to the north-west along a rural road without any pedestrian footpaths. Furthermore, the nearest convenience store lies some 1580m to the north-west and the main facilities within the centre of Little Clacton some 2740m from the site. As such the vast majority of journeys undertaken will be via private car. Consequently the proposed development cannot be considered sustainable and therefore fails to meet the test outlined in the NPPF.
- 6.8 The environmental role is about contributing to protecting and enhancing the natural built and historic environment which is considered below under Impact on Surroundings.

Impact Upon Surroundings

- 6.9 The application is in outline form with all matters being reserved so details of the layout, scale and appearance of the proposed dwelling is reserved for the reserved matters stage. However, from the description it is known that the proposal is for one dwelling. Saved Policy EN1 and Draft Policy PLA5 state that the quality of the district's landscape and its distinctive local character will be protected and, where possible, enhanced and any development which would significantly harm landscape character or quality will not be permitted.
- 6.10 The proposed dwelling would be located on an existing caravan/camping site that already accommodates several buildings associated with the existing use. Furthermore, the site sits directly to the south of an existing two-storey dwelling and is enclosed on all boundaries by mature native species hedgerow. As such, views of any proposed dwelling, subject to design considerations, would be softened and viewed against the backdrop of the existing property to the north.

- 6.11 It is therefore, considered that the residential development of this site would, on balance, not result in overriding harm to the rural character of the surrounding area.

Residential Amenity

- 6.12 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'.
- 6.13 The application is in outline form only so the design and layout can only be dealt with as part of a reserved matters application. The impact on neighbouring amenity will obviously depend on the detailed design and layout; however, it is considered that the site is situated a sufficient distance from the neighbouring property to be capable of accommodating a detached dwelling without resulting in any adverse impact on the neighbour's amenities.

Highway Safety

- 6.14 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.
- 6.15 Essex County Council Highways have been consulted on the application and raise no objection to the proposal, subject to suitably worded conditions relating to any garage being set back 6m from the highway, all off-street parking being in accordance with current parking standards and the submission of details of a vehicular turning area for motor cars. The site has ample space to provide these and there is therefore no objection on highway safety grounds.

Conclusion

- 6.16 It is considered that for the above reasons the proposal fails to meet the criteria set out in the National Planning Policy Framework and relevant policies of the Saved and Draft Local Plans. The proposal would result in a net increase of one residential unit on previously developed land, and this would contribute towards the Council's requirements for housing land. However, this consideration is not outweighed by the adverse impacts of the development outlined above, which would significantly and demonstrably outweigh its benefits. Accordingly the application is recommended for refusal.

Background Papers

None