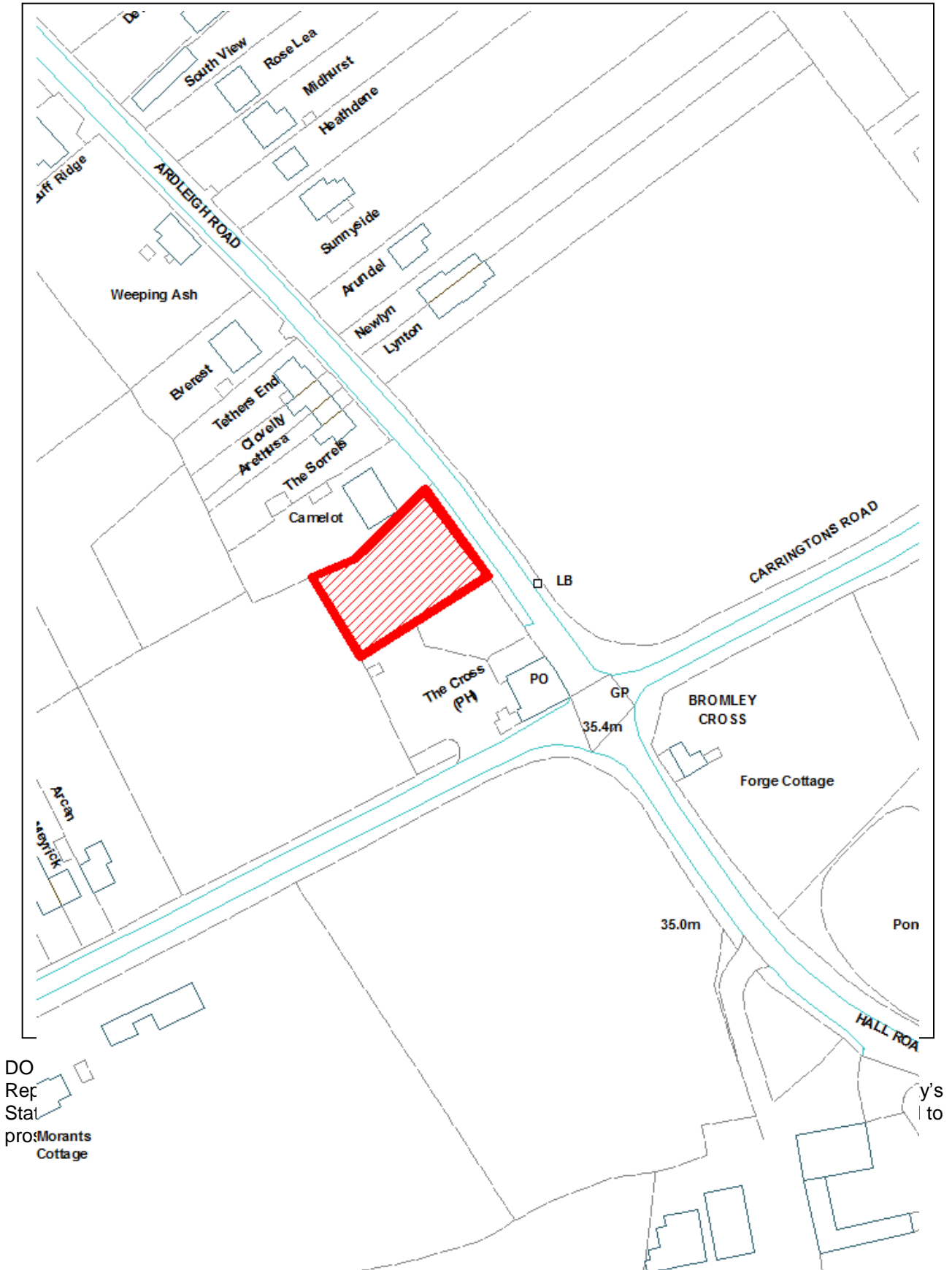


PLANNING COMMITTEE

15TH DECEMBER 2015

REPORT OF THE HEAD OF PLANNING

A.9 PLANNING APPLICATIONS - 15/01502/FUL - LAND ADJACENT THE CROSS INN PH ARDLEIGH ROAD, GREAT BROMLEY, CO7 7TL



Application:	15/01502/FUL	Town / Parish: Great Bromley Parish Council
Applicant:	Beech Hill Properties	
Address:	Land adjacent The Cross Inn PH Ardleigh Road Great Bromley CO7 7TL	
Development:	Erection of two dwellings.	

1. Executive Summary

- 1.1. This application has been referred to Planning Committee by Councillor F. Nicholls on the summarised grounds that the proposal would result in loss of overshadowing and loss of light to an adjoining neighbour, would be out of keeping with existing development in the area, insufficient off-street parking, roadside parking would be dangerous close to a junction, bus stops and at a road bend, the pub is shut and therefore does not provide a facility, since March 2014 there has been a 30% increase in housing stock and this scheme would therefore represent a gross overdevelopment of Bromley Cross (a Small Rural Settlement) and would not provide the mix of houses/opportunities for home ownership identified in the NPPF; also, alternative smaller development would be preferable.
- 1.2. This application seeks full planning permission for the erection of 2 no. dwellings on land adjoining The Cross Inn PH, Ardleigh Road, Great Bromley. The layout plan shows 2 dwellings with a detached garage served by a single point of access onto Ardleigh Road.
- 1.3. The application site is situated on the west side of Ardleigh Road in Bromley Cross. It comprises a field.
- 1.4. In the absence of a five year housing land supply and given that the site would be within the settlement boundary as indicated in the Submission DLP (2012), the site is considered to comply with the strands of sustainable development (economic, social and environmental) and the principle of residential development is therefore accepted.
- 1.5. It is considered that the site is capable of accommodating 2 detached dwellings whilst resulting in no material harm to the character of the surrounding area, preserving the amenities of neighbouring residents, having an acceptable impact on the trees and meeting the requirements of Essex County Council Highways for a suitable access that would not result in harm to highway safety.

Recommendation: Grant

1. Conditions: Standard time limit for development to commence
2. Details of external materials to be submitted
3. Details of Soft and Hard Landscaping
4. Planting season/replacement of planting within 5 years
5. Tree details to be submitted together with protection measures to be implemented during construction
6. Boundary Treatment details
7. Bin and cycle storage details
8. Details of access road
9. Visibility Splays
10. No unbound materials within 6m of highway boundary
11. Details of vehicular accesses

12. Size of vehicle hardstanding areas
13. Garage sizes
14. Details of turning facilities
15. Provision for cycle stores
16. Construction Methodology Statement
17. Surface water discharge to highway (prevention)

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

HG1 Housing Provision

HG4 Affordable Housing in New Developments

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

COM3 Protection of Existing Local Services and Facilities

COM6 Provision of Recreational Open Space for New Residential Development

COM8 Provision and Improvement of Outdoor Recreational Facilities

EN1 Landscape Character

EN6 Biodiversity

EN6a Protected Species

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
- SD3 Key Rural Service Centres
- SD5 Managing Growth
- SD8 Transport and Accessibility
- SD9 Design of New Development
- PEO1 Housing Supply
- PEO3 Housing Density
- PEO4 Standards for New Housing
- PEO22 Green Infrastructure in New Residential Development
- PLA5 The Countryside Landscape

Other Guidance

Essex County Council Car Parking Standards - Design and Good Practice

3. Relevant Planning History

None

4. Consultations

- 4.1 Open Space – Yes contribution requested. There are only 2 applications currently on our list.
- 4.2 From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:
 - 1. Prior to the first occupation of the proposed dwelling, the proposed vehicular access shall be constructed to a width of 5.5m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.
Reason: To ensure that all vehicles using the private drive access do so in a controlled manner and to ensure that opposing vehicles may pass clear of the limits of the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.
 - 2. No unbound materials shall be used in the surface treatment of the proposed vehicular access throughout.
Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.
 - 3. Single garages shall have minimum internal dimensions of 7m. x 3m and shall be provided with vehicular doors a minimum width of 2.3m.

Reason: To encourage the use of garages for their intended purpose and to discourage on-street parking, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

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 in accordance with Policy DM 1 and 9 of the Highway Authority's Development Management Policies February 2011.

5. No development shall take place, including any works of demolition, until a Construction Method Statement (CMS) 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 and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

6. Prior to commencement of the proposed development, a vehicular turning facility for motor cars 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 in perpetuity.

Reason: To ensure that vehicles using the site access may enter and leave the highway in a forward gear, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

7. Prior to the occupation of any of the proposed dwellings the footway across the entire sites frontage to Ardleigh Road shall be extended to a minimum of 2.0m in width and being provided entirely at the Applicant/Developer's expense including new kerbing, surfacing, drainage, any adjustments in levels and any accommodation works to the footway and carriageway channel and making an appropriate connection westerly to the existing footway to the specifications of the Highway Authority.

Reason: To make adequate provision for the additional pedestrian traffic generated within the highway as a result of the proposed development in accord with Policy DM 9 of the Highway Authority's Development Management Policies February 2011.

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 ' Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester.
CO4 9YQ.

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

5. Representations

- 5.1 One letter has been received. The material planning objections raised are as follows:
- loss of light/overshadowing
 - Insufficient car parking spaces will cause more on-street parking to the detriment of highway safety
 - the site is on a bend in the road, close to a crossroads with bus stops which makes it extremely dangerous in respect of highway safety
 - the public house is not open and should not therefore be included as a facility for the purposes of sustainability
 - since last year 10 houses have been approved of 4, 5 and 6 bedrooms. This represents a 30% increase in dwellings at Bradley Cross and is overdevelopment and does not contain an appropriate mix of housing as indicated in the NPPF
 - alternative development of 3-bed bungalows would have been more appropriate
- 5.2 The Parish Council also object on the grounds that the development will block light to neighbouring properties; proximity to neighbouring properties and there is an over-development of houses at that end of the village and no amenities.

6. Assessment

Local Development Plan

- 6.1 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 draft plan has been through the first phase of public consultation and the amount of weight which can be afforded to each of its policies varies depending upon the number of unresolved objections and the nature of those objections.

Site Description

- 6.2 The site lies to the north of The Cross Inn Public House (currently vacant apart from a small post office) which is at the junction of Colchester Road and Ardleigh Road. The site is currently undeveloped lying to the south of frontage residential development to both sides of Ardleigh Road.
- 6.3 The site is outside of the Settlement Development Boundaries (SDB) as established in the saved local plan, but within the SDB for Bromley Cross as established in the draft local plan.

Proposal

- 6.4 The proposal is for two dwellings with parking and amenity space. It is proposed that the detached two-storey dwellings would be located between 10.8m and 13.4m back from the rear edge of the public highway to Ardleigh Road and would be located 1.8m from the southern boundary with The Cross Public House and between 1m and 3.7m from the shared boundary with Tethers End (previously known as Camelot) directly adjacent to the northern boundary of the application site.

- 6.5 They would be designed to be handed although they would have minor variations in their detailing. A shared garage block would be located in the rear garden areas with two additional spaces each provided between the dwellings resulting in a 6m wide gap between the proposed dwellings. As a result of the garage layout each house would be provided with an "L"-shaped rear amenity space.
- 6.6 There would be a shared vehicular access onto Ardleigh Road with turning heads provided to the front of each house.

Appraisal

- 6.7 The main considerations are as follows:
- Principle of development
 - Impact on the character and appearance of the area
 - Residential amenity
 - Highway safety
 - Open Space contribution

Principle of development

- 6.8 As stated above, the site is outside of the SDB as established in the saved local plan, but within the SDB of Bromley Cross of the draft local plan. In terms of SDBs the draft local plan is of limited weight. However, the site's allocation within this designation is a material planning consideration. Furthermore, the Council is not able to currently show a 5-year supply of housing which is also a material planning consideration. On this basis it is necessary to consider whether the application would represent sustainable development as described in the National Planning Policy Framework (NPPF). As such the three key elements of economic, environmental and social sustainability should be considered further.
- 6.9 In economic terms, the construction of residential dwellings would be of a small economic benefit both during construction and following construction in terms of the occupiers' contribution to the local economy. It should be noted here that the Public House was vacant at the time of the site visit although there is a small Post Office located in an outbuilding/annexe which was in business such that an increase in local expenditure is likely to be minimal.
- 6.10 In terms of the effect of the proposal on the environment, it is necessary to assess the impact on the character and appearance of the area and its impact on local wildlife. The surrounding area is characterised by open fields enclosed by established hedgerows and trees. The proposal would, together with recent outline consent at The Cross for two dwellings onto Ardleigh Road, result in the complete infilling of the existing gap between the Pub and Camelot linking the existing public house and existing bungalow/terraced cottages and development further north and on both sides of Ardleigh Road. This in-filling would be on undeveloped land, however, as the application site would not extend beyond the rear of the existing gardens/rear boundary to the Pub (To Carringtons Road), it is not considered to negatively impact upon the character and appearance of the landscape, such that it would be of neutral value in terms of environmental sustainability.
- 6.11 With regards to social sustainability the site is within the draft SDB for Bromley Cross. This settlement forms part of the scattered collection of Ardleigh villages and hamlets. Bromley Cross has a former public house and post office, which lies adjacent to the application site. In revising the settlement boundaries across the District, the issue of social sustainability was a key consideration (as part of the wider sustainability agenda). In this instance, although jobs, education, healthcare and convenience shopping within Bromley Cross are minimal or non-existent, the presence of a public house and a small post office, possible

reopening of the public house (if approved "enabling" development goes ahead) and access to Ardleigh (a "smaller rural settlement") from a nearby bus stop, is deemed sufficient to result in a neutral outcome in terms of social sustainability.

- 6.12 In balancing the sustainability issues of the proposal, the small economic benefit alongside the neutral social and environmental aspects would ensure that the proposal results in a form of development that is marginally sustainable.

Design and Layout

- 6.13 There is existing residential development along both sides of Ardleigh Road to the north of the application site and along both sides of Carringtons Road to the west of The Cross Public House with more being constructed at the time of the site visit with an outline approval for two dwellings at The Cross Public house directly adjacent to the application sites southern boundary. While the scheme to the south was in outline only, discussions were undertaken with revised indicative plans (revised drawing number 1414-01E) showing 2 No. two-storey houses.
- 6.14 The current proposal would be to the south of the chalet bungalow, Tethers End (formerly "Camelot"). As the proposal is for two, two-storey houses set back from the highway a similar distance as the adjoining residential property to the north and set away from the side boundaries with a reasonable gap between the detached properties, it is considered that this would be an acceptable form of development given the mixed nature of residential properties in Bromley Cross.
- 6.15 The proposal would result in handed properties, although there would be slight variations in the front elevations so that they are not identical. Given the variety of dwellings it is appropriate that there is at least some variation and it is considered that the colour and texture of bricks, render and tiles could be varied further through the imposition of a suitably worded condition to ensure that the visual impact is of separately-considered detached houses to maintain the existing variety.
- 6.16 It is therefore considered that the proposal would have an acceptable impact on the existing appearance and character of the locality.

Residential amenity

- 6.17 The nearest residential properties are Tethers End directly to the northern boundary of the application site and the proposed properties to the south. As the scheme to the south was at outline with most matters reserved including scale and appearance, it is not possible to determine exactly what impact the proposal would have on these properties, however as this scheme would be located to its north, it is not considered that there would be any directly sunlight concerns nor overshadowing, nonetheless it would be reasonable to require that there area no first floor windows to the facing elevation or that any windows to this elevation are fitted with obscure glazing and fixed shut. Other matters such as outlook and the impact of the southern scheme on this application property can only be assessed when the other scheme comes forward with full or reserved matters for consideration.
- 6.18 In relation to Tethers End, Tethers End is a chalet bungalow which has been extended to the south with accommodation to the ground floor and roof space. There is a window to the flank elevation of the bedroom together with a velux window in the small ensuite. There is no doubt that the erection of a two-storey house to the south of this property which would be both higher and deeper would have an impact on the light entering this bedroom. However, the occupiers have been relying on light gained from across the shared boundary and less light would have been available should this site have been developed prior to the extension being built. While there would be a loss of light to this bedroom the remainder of

the property would not be significantly affected. It is recognised that residential amenity may be affected to a degree by development, nonetheless the proposed dwelling would be located away from the shared boundary and would be set on the same building line. It would be deeper and higher than the existing property and there would clearly be some loss of light and outlook to the south-facing windows to the bedroom and the secondary window to the second lounge room. While the bedroom would be affected, it is not considered that the loss of amenity to the whole adjoining property would be so significant as to refuse planning permission on this ground alone.

Parking and Highway safety

- 6.19 The proposal for two dwellings would have a single, shared access onto the public highway with two turning heads, one to the front of each house and each house would have three parking spaces. There are no objections from the Highways Authority subject to the imposition of a number of conditions relating to the access.
- 6.20 Each garage would have minimal internal dimensions of 2.5m by 5.8m and each parking space would be 3m wide by 5.5m long. It is considered that while the number of spaces would be below that indicated in the draft parking policy but, as there are no highway objections, that the number of parking spaces relative to the size of the dwellings proposed would be acceptable and not result in on-street parking which could affect the free flow of traffic on the highway.

Open Space Contribution

- 6.21 In line with Policy PE022 of the Local Plan, a contribution is required as there is a shortfall in open space in the area, in accordance with the amount prescribed. A Unilateral Undertaking has been requested from the applicant.

Conclusion

- 6.22 The proposed development would be located within the Settlement Boundary (as defined in the draft Local Plan) and would be sustainable in respect of the strands contained in the NPPF such that it would be acceptable in principle. The proposal would have an impact on the amenities of the adjoining occupiers at Thethers End, nonetheless given the material circumstances it is considered that the development would not result in material harm to existing residential amenity. There are no highway objections. Subject to conditions and the signing of a legal agreement, Officers consider that the proposal would be acceptable.

Background Papers

None.