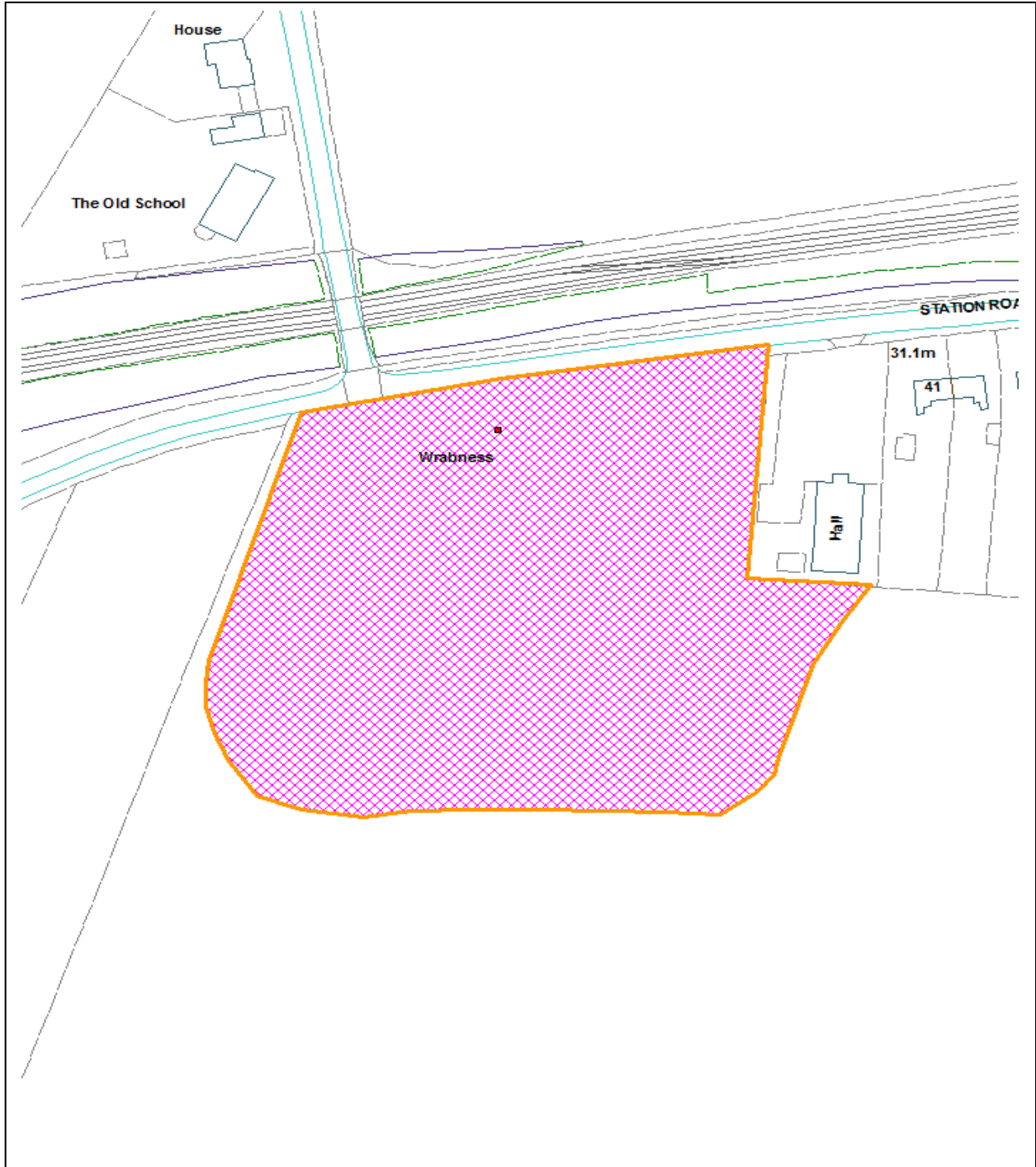


PLANNING COMMITTEE

22nd March 2016

REPORT OF THE HEAD OF PLANNING

A.3 PLANNING APPLICATIONS - 15/01737/OUT - Land South of Station Road, Wrabness, CO11 2TH



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:	15/01737/OUT	Town / Parish: Wrabness Parish Council
Applicant:	Mr J Macaulay	
Address:	Land South of Station Road Wrabness, CO11 2TH	
Development:	Outline planning application for 18 dwellings and provision of a 0.2ha village green with all other matters reserved.	

1. **Executive Summary**

- 1.1 This application is referred to Planning Committee as it represents a departure from the Development Plan being located outside the Settlement Development Boundary and within the Coastal Protection Belt.
- 1.2 This application seeks outline planning permission for the development of 18 dwellings and the provision of a 0.2 hectare village green on Land south of Station Road, Wrabness. The application is in outline form, all matters of detail such as access, appearance, landscaping, layout and scale are reserved for a future application.
- 1.3 The site is situated to the west of the village hall in Station Road, Wrabness. It currently forms part of a large agricultural field, with its southern and part eastern boundaries not demarcated.
- 1.4 The northern boundary of the site is fronted onto Station Road; there is no roadside hedge along this boundary and the western boundary is delineated by a hedge. The majority of the eastern boundary of the site with the Village Hall car-park is formed by a 2m (approx.) (in part) hedgerow.
- 1.5 The site has an area of approximately 1.4 hectares in total.
- 1.6 In the absence of an up-to-date Local Plan and the subsequent need to consider the proposal against the NPPF presumption in favour of sustainable development, the proposal achieves an appropriate balance between economic, social and environmental considerations. It is considered that the proposal represents sustainable development.
- 1.7 It is considered that the site is capable of accommodating 18 dwellings (depending on size and design) whilst resulting in no significant material harm to the character of the surrounding area, preserving the amenities of neighbouring residents and meeting the requirements of Essex County Council Highways for a suitable access that would not result in harm to highway safety.

Recommendation: Approve

That the Head of Planning (or equivalent authorised officer) be authorised to grant outline planning permission for the development subject to:-

- a) Within 6 months of the date of the Committee's resolution to approve, the completion of a legal agreement under the provisions of section 106 of the Town and Country Planning Act 1990 dealing with the following matters:
 - Affordable Housing On-Site Provision;
 - Public Open Space On-Site Provision and maintenance.

- b) Planning conditions in accordance with those set out in (i) below (but with such amendments and additions, if any, to the detailed wording thereof as the Head of Planning (or the equivalent authorised officer) in their discretion considers appropriate).
- (i) Conditions:
1. Details of the appearance, landscaping, layout, access and scale, (hereinafter called "the reserved matters");
 2. Application for approval of the reserved matters;
 3. The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters;
 4. Samples of the materials;
 5. Hard and soft landscaping;
 6. All hard and soft landscaping implementation;
 7. Landscaping - Five year clause;
 8. As requested by the Highway Authority;
 9. Boundary treatments;
 10. Details of Refuse storage/collection areas;
 11. Permeable surfacing;
 12. Scheme to provide renewable energy and energy and water efficiency technologies to be used;
 13. Archaeology investigative and report works;
 14. Biodiversity enhancement provision;
 15. Removal of PD rights for fencing, walls and means of enclosure on the western and southern boundaries of the site;
 16. Details of measures for the control and suppression of dust emission;
 17. A comprehensive site investigation for contaminates or gases;
 18. A full construction method statement for protecting existing residential properties and restricting working hours;
 19. Details of a surface water drainage scheme;
 20. Details of a maintenance plan for the surface water drainage system, and;
 21. Yearly maintenance logs of surface water drainage system.
- c) That the Head of Planning be authorised to refuse outline planning permission in the event that such legal agreement has not been completed within the period of 6 months, as the requirements necessary to make the development acceptable in planning terms had not been secured through S106 planning obligation, contrary to saved policies HG4 and COM6 of the Tendring District Local Plan (2007) and draft policies PEO10 and PEO22 of the Tendring District Local Plan Proposed Submission Draft (2012) as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014).

2. **Planning Policy**

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL10	Designing New Development to Meet Functional Needs
QL11	Environmental Impacts and Compatibility of Uses
QL12	Planning Obligations
HG3	Residential Development Within Defined Settlements
HG4	Affordable Housing in New Developments
HG6	Dwelling Size and Type
HG7	Residential Densities
HG9	Private Amenity Space
HG14	Side Isolation
COM6	Provision of Recreational Open Space for New Residential Development
COM26	Contributions to Education Provision
EN1	Landscape Character
EN3	Coastal Protection Belt
EN6	Biodiversity
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
SD4	Smaller Rural Settlements
SD5	Managing Growth
SD7	Securing Facilities and Infrastructure
SD8	Transport and Accessibility
SD9	Design of New Development
SD10	Sustainable Construction
PEO3	Housing Density
PEO4	Standards for New Housing
PEO7	Housing Choice

PEO10	Council Housing
PEO22	Green Infrastructure in New Residential Development
PLA2	Coastal Protection
PLA4	Nature Conservation and Geo-Diversity
PLA5	The Countryside Landscape

Local Planning Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

3. Relevant Planning History

14/00447/OUT	Outline planning application with all matters reserved for the construction of 10 dwellings and 4 affordable houses.	Approved	18.05.2015
--------------	--	----------	------------

4. Consultations

Environmental Health

4.1 In the interests of neighbour amenity advise that the following conditions be imposed:

1. Dust suppression methods to be employed during construction so as to minimise likelihood of nuisance being caused to neighbouring properties. A scheme of measures for the control and suppression of dust emissions shall be submitted to and approved in writing by the Local Planning Authority. Such agreed works shall be implemented in the approved form during the construction phase.
2. Development shall not begin until a comprehensive site investigation for contaminants or gases likely to be associated with previous uses of the land, in a form to be agreed in writing by the local planning authority, has been submitted and approved in writing by the local planning authority. Such a scheme shall include provision for further soil sampling after treatment in order to ensure compliance with local planning authority requirements. Such a scheme shall be implemented before any building operations being on site. Where hazards are identified by the site investigation a suitable reclamation strategy shall be drawn up, approved in writing by the local authority and implemented prior to occupation. Such a scheme shall include measures to protect end users of the site, vegetation, services and structure on the site as appropriate. The site lies within 250m of a former (or suspected) landfill site and environmental control wish to ensure that development only proceeds if it is safe to do so. This condition should not be read as indicating that there is any known danger from landfill gas in this locality.
3. Construction work shall not begin until a full construction method statement for protecting the existing residential properties from noise from the construction has been submitted to and approved by the local planning authority in writing. The hours of construction should not exceed 07.00 hours – 19.00 hours Monday to Friday, 08.00 hours – 13.00 hours on Saturdays. No Sunday or Bank Holiday working.

Anglian Water Services

- 4.2 Advise that records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary. The foul drainage from this development is in the catchment of Harwich and Dovercourt Water Recycling centre that will have available capacity for these flows. The sewerage system at present has available capacity for these flows.

Open Space

- 4.3 There is currently a deficit of 0.30 hectares of play and formal open space in Wrabness. There is one play space in Wrabness, located at Rectory Road. The play space is classified as a Local Equipped Area for Play. Any further development in Wrabness will increase demand on already stretched facilities. To account for any further development in Wrabness the parish council have plans to increase the size of the play area. Due to the lack of formal/play open space in Wrabness it is felt a contribution towards play and formal open space is justified and relevant to the planning application. It is noted that a village green has been included within the development but as the site is only 1.4 hectares in size there is no requirement of on-site provision to be made.

Housing

- 4.4 The housing register shows Wrabness as having a high demand for affordable housing. Although the application refers to 4 of the properties on the site being for affordable housing, the Council is not in a financial position to purchase this number of units even at a discounted price. Therefore, in order to deliver some affordable housing the Housing Department would prefer to be gifted 1 property which constitutes 30% of the 25% affordable housing provision in the emerging Local Plan.

Natural England

- 4.5 Advise that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which the Stour and Orwell Estuaries Ramsar and Special Protection Area has been classified. Natural England therefor advises that there is no requirement to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.

In addition Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Stour Estuary SSSI has been notified.

Essex County Council Highways

- 4.6 Raise no objection to the proposal subject to the following mitigation and conditions:
1. Prior to occupation of the development, the proposed estate road, at its bellmouth junction with Station Road shall be provided with 10.5m. radius kerbs returned to an access road carriageway width of 5.5m and flanking footways 2m. in width returned around the radius kerbs. The new road junction shall be constructed at least to binder course prior to the commencement of any other development including the delivery of materials.
 2. Prior to the proposed access being brought into use, minimum vehicular visibility splays of 90m by 2.4m by 90m, as measured along, from and along the nearside edge of the carriageway, shall be provided on both sides of the centre line of the access and shall be maintained in perpetuity free from obstruction clear to ground.

3. No unbound materials shall be used in the surface treatment of any of the proposed vehicular accesses within 6m of the highway boundary / throughout.
4. Prior to the proposed accesses being brought into use, a 1.5m. x 1.5m. pedestrian visibility splay, relative to the highway boundary or proposed highway, shall be provided on both sides of that access and shall be maintained in perpetuity free from obstruction clear to ground. These splays must not form part of the vehicular surface of the access.
5. All off street parking shall be in precise accord with the details contained within the current Parking Standards.
6. Prior to commencement of the proposed development, a vehicular turning facility for service and delivery vehicles of at least size 3 dimensions and 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 at all times for that sole purpose.
7. Prior to the commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.
8. Any garage provided with its vehicular door facing the highway or proposed highway, shall be sited a minimum of 6m from that boundary.
9. 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.
10. Prior to the occupation of any of the proposed dwellings the Developer shall provide a 2m wide kerbed footway connection from existing vehicular access for the Village Hall to the proposed vehicular access to the proposed development site and being provided entirely at the Applicant/Developer's expense including new kerbing, surfacing, any adjustments in levels and any accommodation works to the footway and carriageway channel and making an appropriate connection.
11. 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:
 - a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development, and;
 - d) wheel washing facilities.
12. Prior to first occupation of the proposed development, each individual proposed vehicular access shall be constructed at right angles to the highway boundary and to a width of 3.7m and each shared vehicular access shall be constructed at right angles to the highway boundary and 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.

13. All carriageways should be provided at 5.5m between kerbs or 6.0m where vehicular access is taken but without kerbing.

14. All footways should be provided at no less than 2.0m in width.

4.7 The Highway Authority also recommend the following informatives:

1. There should be no vehicular access over any radius kerbs.

2. The new carriageways should be provided with a centreline bend radius of 13.6m together with adequate forward visibility.

3. Any trees provided within the adoptable highway will attract a commuted sum of no less than £750 per tree.

4. The applicant should be requested to consider the provision and location of street lighting columns, particularly at road junctions, these should be within the adoptable areas.

5. Refuse freighters are unlikely to manoeuvre over Private Drives.

6. Each internal estate road junction shall be provided with a clear to ground level visibility splay with dimensions of 25m by 2.4m by 25m on both sides.

7. There shall be no vehicular access directly opposite the junction of Church Road.

8. 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.

9. 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.

Principal Tree and Landscape Officer

4.8 There are no trees or other significant vegetation on the application site. The land is in agricultural use and has been recently sown with a winter cereal crop.

4.9 The eastern boundary abutting the adjacent village hall is planted with a low hedge comprising primarily Dog Rose with one or two Hawthorn and Honeysuckle throughout. The hedge does not fall within the scope of the Hedgerow Regulations 1997.

4.10 Should planning permission be likely to be granted it will be essential to secure further details of the indicative soft landscaping, shown on the indicative site layout plan. Planting on the perimeter of the application site will be a key element in the final design of the development to ensure that it sits comfortably in its rural setting.

4.11 Where they may have an impact on the character and appearance of the countryside individual property boundaries should be marked with low hedges comprising of indigenous

species ' close board or panel fences would not be appropriate on, or close to the edge of the development.

- 4.12 It will also be important to secure appropriate planting for the front gardens of the dwellings fronting Station Road as it will be a key element of the assimilation of the development into its setting.

Essex County Council Flood & Water Management

- 4.13 Consider that planning permission could be granted subject to conditions to provide details of a surface water drainage scheme and to ensure maintenance of the approved scheme.

Essex County Council Archaeology

- 4.14 No comments received on this application but in response to previous application 14/00447/OUT recommended conditions due to the potential for surviving below ground archaeology on the site.

Essex Wildlife Trust

- 4.15 No comments received

UK Power Networks

- 4.16 UK Power Networks overhead line records show that there are 11,000 volt electricity distribution overhead lines crossing the site. If permission is given for the new development the overhead lines will need to be replaced with an underground cable. This will then require a new terminal pole and two supporting stays, probably near the boundary of the site. The stays will need to be around 6 metres from the pole, it is not clear from the plan where there is space available for the pole and stays. This will need to be considered when designing the final layout. A new electricity substation may be required for this site, dependent on the electrical load requirements of the proposed houses. Any work on the site should be carried out in compliance with the Health and Safety Guidance Note GS6 'Avoidance of danger from overhead electric lines'.

Essex County Council Education Service

- 4.17 No comments received, the proposal is for 18 dwellings which is below there new threshold of 20 dwellings.

5. Representations

- 5.1 Wrabness Parish Council object to the application for the following reasons:

1. A development of 18 houses is contrary to all the housing policies for Wrabness contained in the approved Parish Plan, the adopted Local Plan and the Pre-Submission Draft Tendring Local Plan, which collectively seek to limit new residential development in the village.
2. 18 new houses represents a 25% increase on the 72 existing houses within the Wrabness Settlement Limits and is simply too large in a small village.
3. We acknowledge that contrary to the Parish Councils objections outline planning permission 14/00447/OUT has already been granted for 10 dwellings and 4 affordable houses on the land. Whilst 4 more houses are proposed in the current application, it

also seeks to double the net site area for new housing development from 0.6 to 1.2 hectares.

4. The density of the proposed new housing development at 15 homes per hectare is very low to be sustainable when compared with Tendring District Council and national standards relating to sustainable densities for new housing.
5. There has to be concern, if approved at an unsustainable density, that Tendring District Council will find a fresh application for additional housing on the same site hard to resist, when judged against current sustainable density standards. The parish council does not want 18 new houses let alone 30.
6. Unlike the previous application, the current application makes no formal commitment for affordable housing; this will be decided at the detailed stage. Therefore the outline planning application does not comply with the aspirations of the village for two affordable homes, based on the needs survey undertaken by the Parish Council in partnership with a rural housing association.
7. The 0.2 hectare open space proposal whilst superficially attractive does not satisfy the village green and allotment policies contained in the Parish Plan as there provided for consultation with the village on any proposal received. The public consultation meeting convened in the village has overwhelmingly rejected the offer of public open space linked to the development of 18 houses and the application offers no allotment provision. The village would rather forgo the village green opportunity than agrees to an unsustainable housing scheme.
8. A 25% housing increase in Wrabness village is simply too large to be sustainable, when judged against the intent of planning policies to encourage sustainable living and provide homes near services. Wrabness residents in common with most small rural settlements have to travel out of the village for every day services such as shops, post office, banks, schools, doctors as well as work.
9. The application site is part of a large arable field and 18 houses will be conspicuous in the landscape. The site is within the Coastal Protection Belt and adjoins the Proposed Area of Outstanding Natural Beauty.
10. The proposed estate road at 5.5 metres wide is wider than most of the existing roads leading to it. The traffic generated by the development will mean more damage to verges and ditches on our narrow rural roads and more pedestrian and vehicular conflict beyond the application site.
11. The standard highway requirements for this estate development require on site pavements and street lamps quite out of the character with the village. Wrabness has few pavements and no streetlights and when asked villagers don't want more.
12. Wrabness already has unresolved traffic and parking issues in the centre of the village arising from planning permissions granted and traffic generated by 18 houses will add to these unwelcome pressures.
13. The Parish Council has agreed with the Tendring District Local Plan Options and Issues report that the emphasis of new housing should be in towns and large settlements, which has a good range of services.
14. The Parish Council also expressed concern to the District Council about the pressure housing development at Wrabness which is currently way beyond anything previously experience and which is deeply unpopular locally.

15. Would the sewage system in Wrabness cope with an extra 18 houses?

5.2 2 letters of support have been received which raise the following points:

1. Planning permission 14/00447/OUT was granted for 14 dwellings on a substantial portion of the same site as that identified in the new application. That approval is still valid.
2. The parish council objection to the earlier scheme partly because that proposal had not allowed for any area of public open space.
3. In 2015 when planning permission was granted, members of the Planning Committee made it clear that they would encourage an alternative scheme to be explored which would meet the Parish's open space aspirations.
4. Unlike many villages, Wrabness enjoys no public open space with the exception of a small play field (leased) and that 'Station Master's Garden' (tiny and allowed on a temporary basis by Railtrack). The village itself owns no land whatsoever.
5. The 2005/2008 Wrabness Parish Plan included the clear aspiration of many of the respondents somehow to acquire a village green. It was then, and still is now, obvious that the only viable location for such a facility would be on land to the west of the village hall.
6. If the previous permission is implemented, there will sadly never be a further opportunity for the village to acquire open space in that location.
7. Vibrant community life in any village often revolves round such assets as the parish church, the public house, the village hall, the village shop and the village green. Each may have a different function, but, when combined, amount to a village that really functions at its best and is a place to be proud of. The proposed new village green will add one more essential element to that equation.
8. The plan to building four further houses on a rather larger but less crowded footprint in exchange for the gift to the village of a 0.2 hectare village green is a contract well worth supporting for its clear and sustainable benefit to the village both now and far into the future.
9. While there can be few in Wrabness who want substantial housing development in this small village, people would be wise not to forget that the government is putting enormous pressure on local authorities to facilitate significantly more housing everywhere. Such pressure will be hard to resist.
10. New residents coming to live in the village will help the viability of the village's facilities, such as the community shop, church and the many community organisations that use the village hall.

5.3 28 letters of objection have been received which raise the following concerns:

1. Wrabness is a very small village with no amenities (other than a railway station and a struggling community shop). Local school, doctors, dentists and the local hospital facilities are all very overcrowded.
2. The proposal represents overdevelopment of a greenfield site.

3. If Tendring are looking for 1000 properties to be built in the area as a whole why should Wrabness increase its population by 12% in one swoop. There are enough villages in Tendring to spread the load more equitably.
4. The plans as laid out are too open ended and more houses will undoubtedly follow.
5. Brownfield site and infill sites should be used to fulfil the government quota.
6. There has been recent considerable loss of local agricultural land to solar farms. The site is high grade, well drained agricultural land that should be protected.
7. There is little or no employment in Wrabness occupants would have to commute.
8. The proposal appears to be speculative in terms of demand, and considering employment transport and other facilities, unrelated to local needs.
9. The proposal will be an eyesore in an area that to all intents and purposes is an area of outstanding natural beauty.
10. The development is not in keeping with a rural development; in fact it is more like an urban estate and will be a blight stuck on the end of the village.
11. The narrow lanes leading to the village area not suitable for such an increase in traffic, the village is already suffering extra parking/traffic problems due to permission being given for the Grayson Perry House.
12. Majority of people were completely unaware of the existing planning consent for 14 houses (14/00447/FUL).
13. This application doubles the size of the site (compared to 14/00447/FUL) into an area outside the village envelope.
14. The granting of the original outline planning permission was unsound.
15. The outline planning consent for 14 houses already exceeds the threshold for 10 houses in 10 years described in the Village Plan.
16. Has no sustainable economic value to the village.
17. The relatively large increase in the population in a confined location would make assimilation problematic, not to mention the increase in traffic and the dangerous lack of a continuous footpath to the village shop.
18. The Parish Plan did not highlight a need for the village green it was added without a survey as an item on a wish list.
19. Support for a village green, with or without houses, was limited to a handful of the village and there are many more questions about the purpose and practicalities and costs associated with maintaining an area of open space in the village.
20. The village green would become just an area of space for these houses and not the wider village; with cars all around it, it would hardly be a safe play area as intended. It would not attract or be on benefit to the wider village community.
21. The proposal for a small village green is a small recompense for a substantial increase in the development footprint.

6. **Assessment**

- Principle of Development
- Character and Appearance
- Neighbouring Amenity
- Highway Considerations
- Biodiversity
- Section 106 Obligations
- Other Material Planning Considerations

Proposal

- 6.1 This application seeks outline planning permission for the development of 18 dwellings and the provision of a 0.2 hectare village green on Land south of Station Road, Wrabness. The application is in outline form, all matters of detail such as access, appearance, landscaping, layout and scale are reserved for a future application.
- 6.2 Whilst all matters are reserved, an indicative drawing has been submitted to indicate how development could be achieved within the application site. The indicative drawing shows the village green immediately adjacent to the village hall, with residential development comprises of a mixture of detached and semi-detached properties on the remainder of the site, with substantial landscaping proposed along the southern, western and part of the eastern boundary.

Site and Surrounding Area

- 6.3 The site is situated to the west of the village hall in Station Road, Wrabness. It currently forms part of a large agricultural field, with its southern and part eastern boundaries not demarcated.
- 6.4 The northern boundary of the site is fronted onto Station Road; there is no roadside hedge along this boundary and the western boundary is delineated by a hedge. The majority of the eastern boundary of the site with the Village Hall car-park is formed by a 2m (approx.) (in part) hedgerow.
- 6.5 The site has an area of approximately 1.4 hectares in total. It has a gentle gradient change, being a downhill gradient of north to south. There are also overhead electricity lines which run along the northern and eastern boundaries of the site.
- 6.6 Station Road comprises a linear form of development with a mixed character resulting from dwellings of varying scale, bulk, design and appearance. In the immediate vicinity of the site development is characterised by a 2-storey semi-detached dwellings to the east of the site on Station Road, and immediately to the east of the site is the Village Hall, which is set back into the site, with a large frontage car-park.

Principle of Development

- 6.7 Planning Application 14/00447/OUT granted outline planning permission for the erection of 14 dwellings on 0.6 hectares (part of) the application site. This consent is still valid and could be implemented at any time. It is therefore considered that the principle of residential on part of the site for 14 dwellings has been established.
- 6.8 The current application proposes to increase the area of development to 1.4 hectares and the number of dwellings proposed to 18.

- 6.9 The main issues for consideration as part of this application are:
- Whether the site would be suitable for the addition of 4 dwellings having regard to the principle of sustainable development.
 - The effect of the proposed development (taking into account the large site area) on the character and appearance of the surrounding area.
- 6.10 The site lies adjacent to but outside of the Settlement Development Boundary and within the Coastal Protection Belt of the Saved Local Plan (Tendring District Local Plan 2007). In the Draft Plan (Tendring District Local Plan Proposed Submission Draft 2012) an extension to the development boundary is proposed meaning that part of the site is situated within the proposed Settlement Development Boundary. This extension to the defined settlement boundary measures approximately 60 metres in length along the Station Road frontage and 60 metres in depth (on its eastern boundary) and tapering to 50 metres (at its western boundary with the open countryside). The remainder of the application site lies outside the proposed Settlement Development Boundary and within the Coastal Protection Belt. No changes to this designation are proposed in the 2014 Focussed Changes Document.
- 6.11 Given that the Tendring District Local Plan Proposed Submission Draft 2012 and Focussed Changes 2014 are not yet fully adopted and are subject to change, in accordance with a number of appeal decisions, it can only be given limited weight. It is therefore considered that in accordance with the Saved Local Plan the site lies outside any defined Settlement Development Boundary and within the Coastal Protection Belt. Therefore its development is contrary to the local plan policies.
- 6.12 However, the Council accepts that both the adopted and emerging Local Plans fall significantly short in identifying sufficient land to meet the objectively assessed future need for housing and cannot identify a deliverable five year supply of housing sites toward meeting that requirement. Therefore, in accordance with paragraph 49 of the NPPF, relevant development policies for the supply of housing should not be considered as up to date and the 'presumption in favour of sustainable development' as set out in the NPPF should apply to housing proposals.
- 6.13 Paragraph 7 of the NPPF states that there are three dimensions to sustainable development; economic, social and environmental and that these roles should not be undertaken in isolation, because they are mutually dependent. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 6.14 Economically the construction and habitation of 18 dwellings would be of economic benefit through the construction of new housing and the local benefit that new residents could bring to the local economy.
- 6.15 In terms of the social role, the site is located on the edge of the village of Wrabness. Wrabness is identified as a village within Policy QL1 of the Tendring District Local Plan (2007) and on this basis it is considered some growth can be supported.
- 6.16 The site is within close proximity of some community services with a small community shop and café within walking distance of the site. Wrabness is also on a bus route and there are bus stops on Station Road with services to Harwich, Manningtree and Colchester. In addition it is noted that Wrabness train station is within walking distance of the site, which connects the village to Harwich and Manningtree and further afield into Colchester and London. These facilities go some way to illustrate the sustainability credentials for the village. Overall officers consider that the application site performs reasonably in terms of the social role within the definition of sustainability.

- 6.17 Environmental sustainability is about contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy. As this application is in outline form, aspects such as the use of natural resources and low carbon economy will be matters that would be dealt with by a reserved matters application. However, at this stage, it is necessary to consider the impact the proposal may have on the natural and built environment, which is discussed in detail below.
- 6.18 Policy SD4 of the Draft Plan (Tendring District Local Plan Proposed Submission Draft 2012) states that in smaller rural settlements including Wrabness no single housing development will exceed 10 dwellings in size unless there is local town or parish support for a larger development to achieve certain local benefits. It is noted that there is no parish support for the proposal, however this policy is contained within the draft plan which is not yet fully adopted and as set out in recent appeal decisions, cannot be given significant weight.

Character and Appearance/Visual Impact

- 6.19 The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, in indivisible from good planning, and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 17 is to always seek to secure high quality design.
- 6.20 Policy QL9 and EN1 of the Tendring District Local Plan 2007 (Saved Plan) and Policy SD9 of the Tendring District Local Plan Proposed Submission Draft 2012 (Draft Plan) seeks to ensure that development is appropriate in its locality and does not harm the appearance of the landscape.
- 6.21 As this application is in outline form, matters such as layout, scale and appearance are not under consideration at this stage, the information provided on these matters is indicative only. It is also relevant to take into consideration the granting of the previous permission (14/00447/OUT) and the fact that this consent could still be implemented.
- 6.22 The site lies adjacent to the existing settlement boundary with a number of residential dwellings to the east of the site and a small cluster of the residential properties to the north-north-west of the site. It is therefore considered that the proposed development would have some relationship with the existing built form. It is noted that the indicative plan shows the village green providing separation between the existing built form and the proposed residential dwellings, this in itself is not considered to be harmful, especially as the western boundary of the site is delineated by a hedgerow which provides a natural barrier.
- 6.23 It is acknowledged that the design shown on the indicative site plan does not reflect the linear form of Station Road; however, it is indicative only. The indicative site plan for the previous application showed linear development and backland development, therefore as this is a fall back position it is not considered that development to the rear of properties along the frontage can be objected to. It is considered that the larger site will result in a development that is of a lower density approx. 13 dwellings per hectare compared to the approved application of 23 dwellings per hectare. Whilst the larger application site does not relate so well to the character of the existing settlement it is considered that the lower density of the development is more appropriate to the rural location of the site. Overall it is considered that whilst the proposal will result in some harm to the character and appearance of the area, it is not considered sufficient to warrant a reason for refusal.
- 6.24 The exact design and location of dwellings will be dealt with as part of any future reserved matters application.

Neighbouring Amenity

- 6.25 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'.
- 6.26 The appearance of the proposed dwellings is not included within this application, so it is not possible at this stage to fully assess the impact on neighbour's amenities. However, it is considered that there is potential for the site to be developed, without resulting in any adverse impact on the amenities of the neighbouring residents, subject to the siting, height, scale and position of windows in the proposed dwellings.

Highway Considerations

- 6.27 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.
- 6.28 Essex County Council Highways have been consulted on the application, they raise no objection to the principle of the development and vehicular accesses onto Station Road subject to the conditions set out above. A number of these conditions were imposed on the previous consent; it is considered that the same conditions should be imposed on any approval. The comments from Highways makes reference to street lighting, to cover this point a condition is required to ensure that further detail of any external lighting is submitted to and approved in writing by the local planning authority to prevent the undesirable, disruptive and disturbing effects of light pollution.
- 6.29 Notwithstanding the above, the Councils Adopted Parking Standards require that for dwellings with 2 or more bedrooms that a minimum of 2 parking spaces is required. Parking spaces should measure 5.5 metres by 2.9 metres and garage, if being relied on to provide a parking space should measure 7 metres by 3 metres internally. Furthermore, development sites should provide unallocated visitor spaces at 0.25 spaces per residential unit. It is considered that the site is capable of accommodating this level of parking.

Biodiversity

- 6.30 Policies within Chapter 6 of the Tendring District Local Plan (2007) and Policy PLA 4 of the Tendring District Local Plan Proposed Submission Draft (2012) seek to ensure that where development is likely to harm nature conservation or geo-diversity interests, planning permission will only be granted in exceptional circumstances. The benefits of the development should clearly outweigh the harm caused and where appropriate mitigation measures must be incorporated into the development to the satisfaction of Natural England and other appropriate authorities.
- 6.31 The application site is devoid of any species rich habitat, with the site mainly comprising an agricultural field in current crop production. The eastern boundary is partly formed by a hedgerow, but this is unlikely to be affected by any proposed development. No part of the development site or any land that it abuts has any type of statutory or non-statutory conservation designations.

- 6.32 Natural England has been consulted on the application, given the proximity of the site to the Stour Estuary SSSI which forms part of the Stour and Orwell Estuaries Wetland of International Importance under the Ramsar Convention (Ramsar Site) and Special Protection Area (SPA). The site is also in close proximity to the Stour & Copperas Woods, Ramsey SSSI. Natural England have confirmed that the development proposed will not damage or destroy the interest features for which the sites have been notified.
- 6.33 However, given the site's edge of village location in proximity to the wider countryside, and in accordance with paragraph 118 of the NPPF, this application provides opportunities to incorporate features into the design which are beneficial to wildlife. For example, roosting opportunities for bats or the installation of bird nest boxes could be secured by condition.
- 6.34 Based on the above it is considered that the development of this site in the manner proposed can be achieved without significant harm to nature conservation or biodiversity interests in keeping with the aims and objectives of National and Local Plan Policies as set out above.

Coastal Protection Belt

- 6.35 It is noted the site is located within the Coastal Protection Belt (CPB) as shown within the 2007 Local Plan, but largely outside of this designation within the draft 2012 Local Plan to accommodate the urban extension to the defined settlement limits.
- 6.36 The purpose of the CPB is to protect the open character of the undeveloped coastline and avoid development in vulnerable coastal areas. In this instance, the majority of the site is outside of the CPB designation as identified in the 2012 Local Plan. The proposed development is considered to accord with other Development Plan policies, and it will provide a small but identifiable contribution towards the Council's lack of a 5 year housing supply. The benefits of the proposal in delivering housing numbers, including a small proportion of affordable homes, and the ecological enhancements, are considered to outweigh the harm potentially arising from the development upon part of the CPB.
- 6.37 Given the edge of village location, and the complete lack of any natural boundary features on the site's western and southern boundaries, important consideration would need to be given to the boundary treatments of the proposed properties. Close-boarded or panel fencing would not be appropriate on these boundaries. The indicative layout drawing indicates landscape planting on these boundaries to ensure the development is assimilated into its wider countryside setting. However as landscaping is reserved for future consideration, the details are not required at this stage.

Section 106 Obligations

- 6.38 It is considered that a S106 agreement is required to cover the following:

Open Space Provision

- 6.39 Policy COM6 of the Adopted Tendring District Local Plan (2007) states that residential development below 1.5 hectares in size, where existing public open space facilities are inadequate, shall provide a financial contribution towards the provision of new or improved off-site facilities to meet the projected needs of the future occupiers of the development. This requirement is also set out in Policy PEO22 of the Draft Plan. The policy also states that 'proposals for residential development on a site of 1.5 hectares and above are required to provide at least 10% of the gross site area as public open space. The indicative layout shows a new public green and grassland habitat which meets this criteria.

- 6.40 The Councils Open Space Department has confirmed there is a deficiency of 0.3 hectares of play and formal open space in Wrabness, and any further development in Wrabness will increase demand on already stretched facilities. As a result, a contribution towards play/formal open space in Wrabness is justified. However, given that the proposal includes a village green of 0.2 hectares and that this can be secured as part of the S106 agreement, no financial contribution is required. The S106 agreement will ensure the provision and maintenance of the open space.

Affordable Housing

- 6.41 Saved Policy HG4 requires up to 40% of dwellings to be affordable housing on sites of 15 or more dwellings in urban settlements (with a population of 3,000 or more) and on sites of 5 or more dwellings in rural settlements (with a population less than 3,000). The National Planning Policy Framework requires Councils to consider economic viability when it applies its policies and the Council's own 2013 viability evidence in support of the Local Plan demonstrates that 40% affordable housing is unlikely to be viable in Tendring and that between 10% and 25% (as contained within emerging Policy PEO10) is more realistic. The thresholds under Saved Policy HG4 will therefore be applied but the percentage will be between 10% and 25% as detailed under emerging Policy PEO10.
- 6.42 The Councils Housing Department is not in a financial position to purchase the 4 affordable housing units referred to in the previous application even at a discounted price. Therefore, in order to deliver some affordable housing the Housing Department would prefer to be gifted 1 property which constitutes 30% of the 25% affordable housing provision in the emerging Local Plan.
- 6.43 The S106 agreement relating to the previous application required an education contribution, this is no longer required as Essex County Council have changed their practices only to seek contributions on proposals of 20 dwellings or more.
- 6.44 The above Heads of Terms have been agreed with the applicant, and a section 106 agreement will need to be drafted by solicitors to accommodate these provisions following the Committee's resolution to grant outline planning permission.

Other Material Planning Considerations

- 6.45 The fact the proposal is contrary to the Wrabness Parish Plan has been raised in the number of consultation responses. Whilst this may be the case the Parish Plan contains guidance only and decisions need to be made in accordance with the National Planning Policy Framework and the presumption in favour of sustainable development.

Conclusion

- 6.46 In the absence of an up-to-date Local Plan and the subsequent need to consider the proposal against the NPPF presumption in favour of sustainable development, the proposal achieves an appropriate balance between economic, social and environmental considerations. It is considered that the proposal represents sustainable development.
- 6.47 It is considered that the site is capable of accommodating 18 dwellings (depending on size and design) whilst resulting in no significant material harm to the character of the surrounding area, preserving the amenities of neighbouring residents and meeting the requirements of Essex County Council Highways for a suitable access that would not result in harm to highway safety.

Background Papers

None.