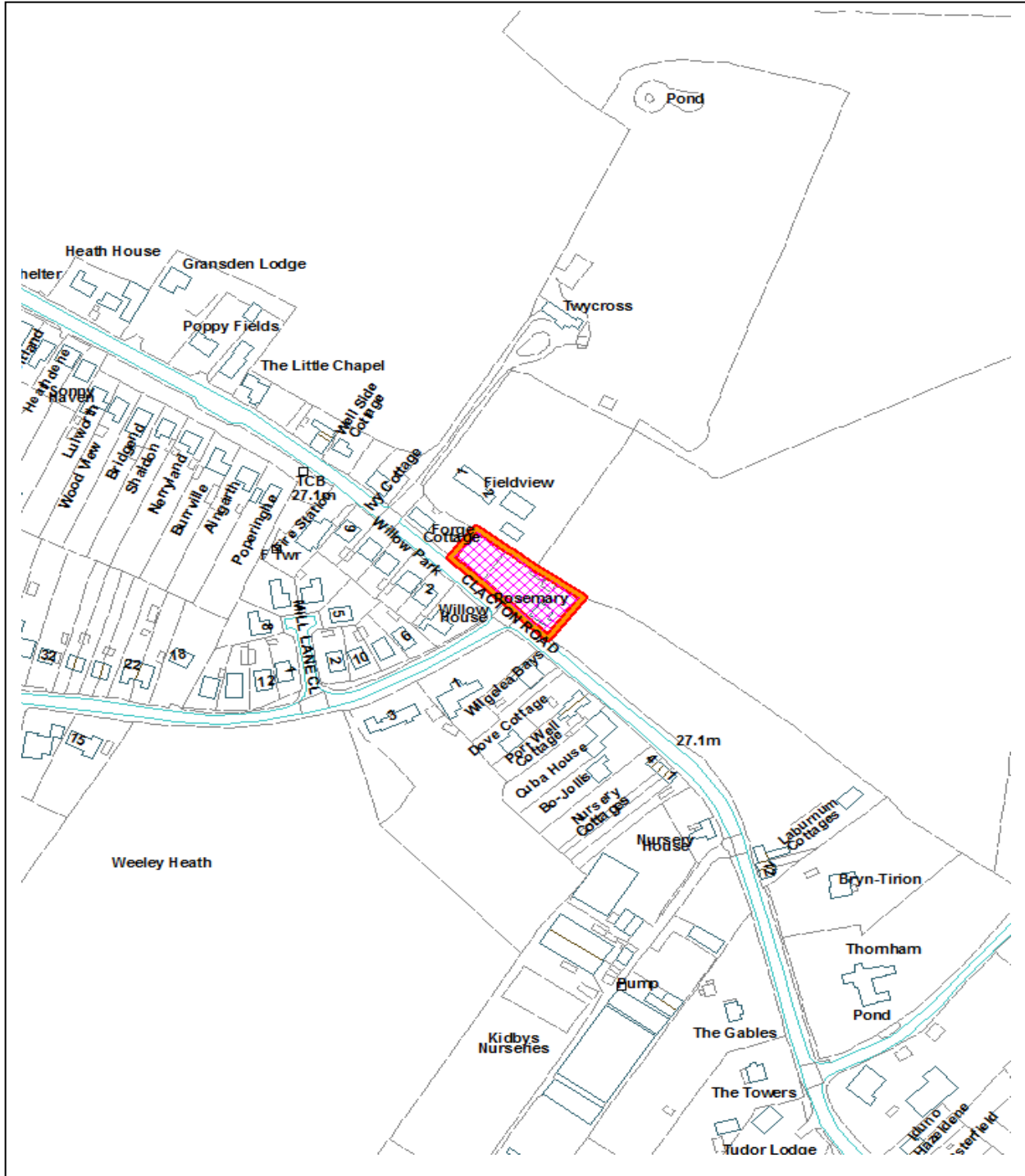


PLANNING COMMITTEE

19TH APRIL 2016

REPORT OF THE HEAD OF PLANNING

A.6 PLANNING APPLICATIONS - 15/01400/FUL - ROSEMARY COTTAGE CLACTON ROAD, WEELEY HEATH, CLACTON ON SEA, CO16 9ED



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Application:	15/01400/FUL	Town / Parish: Weeley Parish Council
Applicant:	Mr M Northover	
Address:	Rosemary Cottage, Clacton Road, Weeley Heath, CO16 9ED	
Development:	Erection of 2 detached bungalows adjacent to Rosemary Cottage.	

1. Executive Summary

- 1.1 This application has been referred to Planning Committee at the request of Cllr Bray.
- 1.2 This application seeks full planning permission for the construction of a pair of two bedroom bungalows with a shared access and centrally located parking/turning area.
- 1.3 The application site is situated on the north-eastern side of Clacton Road, Weeley Heath. The site is located outside, but opposite, to the settlement development boundary of Weeley Heath as shown in the saved local plan, but wholly within the settlement development boundary in the draft local plan.
- 1.4 The proposal is considered to meet the three strands of sustainability (economic, social and environmental) and it is considered that the proposed development can take place without raising any objections in respect of; the impact upon the character and appearance of the area, the design and layout of the development, the impact upon local resident's amenity and highway safety.

Recommendation: Approve - with a Legal Agreement securing a Public open space contribution

Conditions:

- 1) Time Limit
- 2) Materials
- 3) Hard and Soft Landscaping Scheme
- 4) Implementation of Landscaping Scheme
- 5) Land Contamination Scheme
- 6) Access in accordance with approved plans
- 7) 1.5m x 1.5m Pedestrian Visibility Splays
- 8) Vehicular Visibility Splays (90m x 2.4m x 90m)
- 9) Parking areas prior to occupation and retained thereafter
- 10) No unbound materials throughout access
- 11) Submission of Construction Method Statement
- 12) Removal of PD (Outbuildings/Extensions)
- 13) Accordance with Approval Plans

2. Planning Policy

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

- QL9 Design of New Development
- QL10 Designing New Development to Meet Functional Needs
- QL11 Environmental Impacts and Compatibility of Uses
- HG3 Residential Development Within Defined Settlements
- HG9 Private Amenity Space
- HG14 Side Isolation
- COM6 Provision of Recreational Open Space for New Residential Development
- 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)

- SD5 Managing Growth
- SD8 Transport and Accessibility
- SD9 Design of New Development
- PEO4 Standards for New Housing
- PEO22 Green Infrastructure in New Residential Development

Other guidance

Essex County Council Car Parking Standards - Design and Good Practice

3. Relevant Planning History

00/00361/FUL	Dwelling House	Refused	17.04.2000
01/00504/FUL	Extension to dwelling	Approved	11.07.2001
14/00977/FUL	Erection of single detached dwelling and garage and front wall/fence	Approved	12.09.2014
15/01400/FUL	Erection of 2 detached bungalows adjacent to Rosemary Cottage.	Current	

4. Consultations

Environmental Health Request the inclusion of a Land Contamination Survey due to the proximity of the site to land previously used for landfill and petrol station purposes.

ECC Highways Dept

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

- Prior to the first occupation of the proposed development, the proposed vehicular accesses shall be provided in precise accord with the Drawing Numbered NRC-102/16;
- Prior to the proposed access being brought into use 1.5m. x 1.5m. pedestrian visibility splays shall be provided;
- Vehicular visibility splays (90m x 2.4m x 90m) shall be provided to the access prior to it being brought into use;
- No unbound materials shall be used in the surface treatment of the proposed vehicular accesses throughout;
- Prior to commencement of development details of a Construction Method Statement shall be provided.

5. Representations

5.1 The proposal has been referred to the Planning Committee by Cllr. Bray.

5.2 Weeley Parish Council objects the application for the following reasons;

- proposal too different to be assessed as an amendment
- small amenity space for each bungalow
- contamination of the site from previous uses
- two accesses remain to Clacton Road (one for bungalows/one for Rosemary Cottage) giving rise to traffic safety concerns
- detrimental effect on the street scene

5.3 Three letters of objection have been received (2 from the same objectors and all 3 letters were received prior to the amended plans being submitted reducing the development from 4 no. dwellings to 2 no. bungalows). The letters concern (officer response in brackets);

- Overlooking/Loss of Light (proposal is now for 2 no. bungalows and therefore no overlooking or loss of lights to surrounding properties would occur)
- Highway concerns on busy road (permission has already been granted on the site for a new access under reference 14/00977/FUL associated with the construction of a single dwelling).
- Absence of Tree Survey (the site was cleared in February 2016 and is therefore now devoid of any vegetation. Notwithstanding this point, whilst the site was vegetated it was predominantly covered in bushes and fruit trees. None of the trees removed were protected and were considered to be of minimal significance from a visual amenity viewpoint).

6. Assessment

6.1 The main considerations are as follows:

- Context;
- Proposal;
- Planning History;
- Principle of development;

- Character and appearance;
- Landscaping;
- Residential Amenity;
- Highway Safety; and,
- Legal Obligation.

Context

- 6.2 The application site is located on the north-eastern side of Clacton Road outside, but opposite to, the settlement development boundary in the saved Tendring District Local Plan (2007). The application site is located within the development boundary in the draft local plan.
- 6.3 The site itself is linear in character and previously formed the side gardens of the two adjacent properties 'Rosemary Cottage' and 'Forge Cottage'. The site was cleared of its vegetation in February 2016 and is now enclosed by mesh fencing to its Clacton Road frontage. The rear boundary is predominantly marked by 1.8m close boarded fencing. To the rear of the site are residential properties known as 'Fieldview'. Opposite the site is more recent residential development which makes up the 'Willow Park' development.

Proposal

- 6.4 This application proposes the erection of 2 no. bungalows utilising a shared access and central parking/turning area.
- 6.5 The bungalows would consist of 2 bedrooms and would be each served by an integral garage and two parking spaces.
- 6.6 The bungalow to plot 1 would be located in the approximate position of the dwelling approved under planning reference 14/00977/FUL.

Planning History

- 6.7 Planning permission was granted on part of the site (in the approximate position of plot 1) for the erection of a four bedroom two-storey dwelling in 2014. This permission has not been implemented.
- 6.8 The current application was originally submitted as a proposal for 4 no. dwellings. However, due to highway safety issues and officer concerns in respect of visual amenity and the lack of private amenity space serving each dwelling, the current application was revised to propose 2 no. bungalows instead.

Principle of Development

- 6.9 National and local planning policy directs new residential dwellings to within defined settlement boundaries. The general concept of Settlement Development Boundaries (SDB) is fundamental to achieving the Government's intentions to create more sustainable patterns of development, make more efficient use of urban land, and follow a sequential approach to the location of new housing development. In this instance the site is located opposite to, but outside of the SDB as established in the draft local plan, but within the SDB of the draft local plan. Given the stage of progress with the draft local plan, only limited weight can be given to the draft local plan. However, as the Local Planning Authority is unable to show a 5-year supply of housing, sites outside of the saved SDBs can be considered for new housing, provided that they represent sustainable development and are in accordance with national planning policies. Sustainable development is comprised of three elements, economic, environmental and social.

- 6.10 In assessing whether the site is sustainable economically, the proposal, in providing two bungalows, would be of a small economic benefit. This is by virtue of the business that would be generated in the construction of the properties and in the occupation by two further households, who would be likely to spend money locally.
- 6.11 In terms of environmental sustainability, whilst the site is technically in the countryside, it previously served as a garden for Forge Cottage and Rosemary Cottage. The land has since been partitioned off and cleared. In addition, the site is enclosed to the north by a residential property known as 'Fieldview' and along Clacton Road to the north-west by 'Forge Cottage' and to the south-east by 'Rosemary Cottage'. This residential buffering ensures that the site is not viewed in isolation and forms an infill plot surrounded by residential properties. Consequently the proposal would not have any material impact on the character or appearance of the countryside. Furthermore, the application site (by way of its characteristics and cleared nature) is not likely to accommodate any protected species or present any other wildlife issues. Therefore, the proposal is deemed to be neutral in terms of environmental sustainability.
- 6.12 In terms of social sustainability, it is necessary to consider the likelihood that certain destinations would be reached by sustainable means of transport or by private car. These destinations include local schools, healthcare, convenience shopping and local jobs. On this basis within a mile of the site there is a school, a pub, a convenience shop and employment opportunities. This is assisted by a bus service that runs along Clacton Road. Healthcare is more distant at other nearby villages, but on balance, the site can be considered socially sustainable.

Character and Appearance

- 6.13 The character of residential development in this section of Clacton Road is mixed in style, age and materials. Opposite the site are more recent two-storey dwellings predominantly finished in a smooth render with front facing gables. The dwellings either side of the application site and to the rear are older and comprise of a mixture of render/exposed brown brick and concrete roof tiles. There are examples of bungalow development in the vicinity of Clacton Road. Against this backdrop of differing styles; the scale, materials and massing of the two bungalows is acceptable for this part of Clacton Road.
- 6.14 The bungalows would be served by a spacious driveway and parking area which is a characteristic of the more recent two-storey dwellings constructed on the opposite side of the road. As such this arrangement would be in keeping with the appearance of the area.
- 6.15 The bungalows would retain 1m side isolation to the boundaries of the site and would respect the building line in this section of Clacton Road. The development would therefore not appear cramped and has been suitably sited as to not be detrimental to the character and appearance of the street scene.

Landscaping

- 6.16 The site has been cleared and is largely devoid of any vegetation. There are several trees located outside the plot beyond its rear boundary on land in separate ownership. Due to the position of these trees away from the bungalows, the development would not cause them any harm.
- 6.17 A landscaping condition has been recommended to enhance the development through the securing of low level planting to the frontage of the bungalows assisting in softening the parking and turning area proposed.

Residential Amenity

- 6.18 The proposal will not create any material loss of privacy for neighbouring dwellings. This is achieved through the arrangement of first floor windows and the attachment of a condition to ensure that the first floor window that serves a bathroom is of obscure glazing.
- 6.19 The proposed bungalows would be served by 112sqm and 135sqm of private amenity space. This is in accordance with the provisions of saved local plan Policy HG9, which requires at least 100 square metres for properties of this size and type. Both Forge Cottage and Rosemary Cottage would retain private amenity areas well in excess of 100sqm.

Highway Safety

- 6.20 Essex County Council Highways have no objections to the development subject to the access being constructed in strict accordance with the submitted plans, including the provision of pedestrian and vehicular visibility splays, parking in accordance with the current parking standards and no unbound materials to be used in the construction of the access throughout. ECC – Highways have also requested the submission of a Construction Method Statement. These details will be secured via planning conditions.
- 6.21 The proposal includes integral garages to both bungalows, with internal dimensions of 5.5m x 2.8, which is too small to be classed as an off street car parking space. However, each property would be served by 2 no. parking spaces each with dimensions according with the parking standards.

Legal Obligation

- 6.22 Policy COM6 of the Tendring District Local Plan 2007 requires proposals for residential development on sites below 1.5 hectares in size to contribute financially to meet the open space requirements of the development in proportion to the number and size of dwellings built. The financial requirement must accord with the provisions of the Council's Supplementary Policy Document (SPD). A similar policy stance is taken in draft plan Policy PEO22.
- 6.23 A consultation response from the Council's Open Space manager states that "due to the lack of facilities in the area it is felt that a contribution towards play is justified and relevant to this planning application". The response also outlines a shortfall of 2.22 hectares of equipped play in Little Clacton. The project that the contribution is to be applied to is the provision of teenage play equipment, Clacton Road, Weeley.
- 6.24 On this basis a unilateral undertaking has been provided with the planning application, which will meet this policy requirement.

Background papers

None