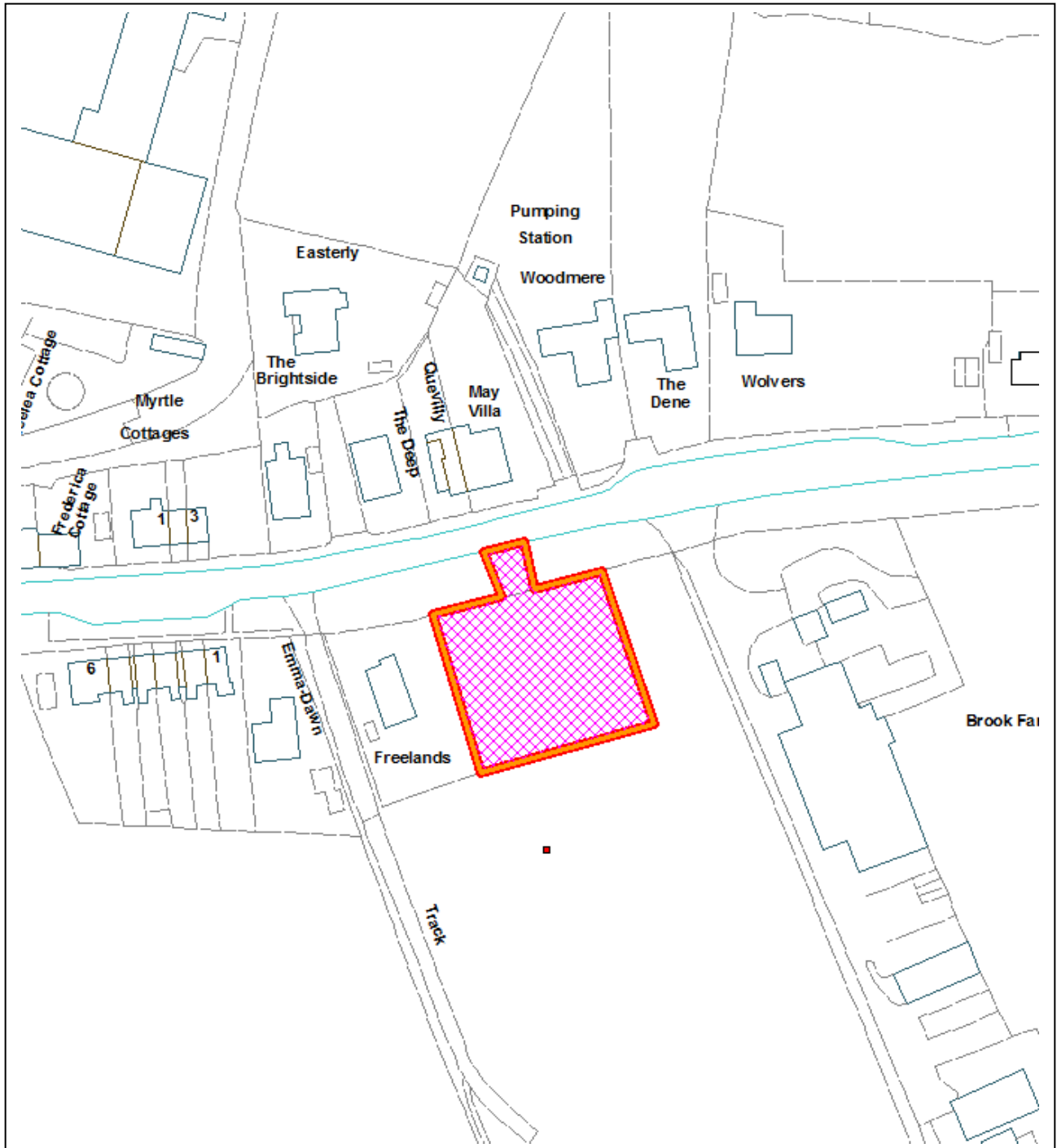


PLANNING COMMITTEE

18 MAY 2016

REPORT OF THE HEAD OF PLANNING

**A.8 PLANNING APPLICATION – 16/00271/DETAIL - LAND EAST OF FREELANDS,
THORPE ROAD, WEELEY, CO16 9JH**



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Application:	16/00271/DETAIL	Town / Parish: Weeley Parish Council
Applicant:	Bricklawn Ltd	
Address:	Land East Of Freelands, Thorpe Road, Weeley, CO16 9JH	
Development:	Reserved matters application for the construction of 3 dwellings with associated garages and parking.	

1. Executive Summary

- 1.1 The application is submitted following the grant of outline consent for the construction of 3 dwellings with associated garages and parking. Members will recollect that the outline application (14/00608/OUT) was considered by the Planning Committee on 24th June 2014 where it was resolved the grant outline planning permission subject to the completion of a legal agreement and a number of controlling conditions. The Planning Committee also resolved that all future applications dealing with the approval of reserved matters should be presented to the Committee for consideration.
- 1.2 The legal agreement was subsequently completed and outline planning permission was granted on 8th July 2014.
- 1.3 All other matters were reserved for the future consideration and this application represents that reserved matters application.
- 1.4 The proposed development accords with the NPPF and the adopted and emerging local plans which, amongst other things, supports the provision of high quality telecommunications infrastructure.
- 1.5 The recommendation is to approve reserved matters details for the construction of 3 dwellings with associated garages and parking.

Recommendation: Approve reserved matters subject to conditions.

Conditions:

- 1) Standard time lime for commencement
- 2) Development to be undertaken in accordance with the approved plans
- 3) Materials in accordance with the approved plans
- 4) Construction Method Statement to include:
 - 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
- 5) No unbound materials
- 6) Off street parking details
- 7) Details of gates
- 8) Hard and soft landscaping

Outline consent was granted by members on 24th June 2014. At members' request the current detail application is presented to Committee for consideration of the matters that were reserved for future consideration.

Therefore members are advised that the principle of development and main access locations are already approved.

2. **Planning Policy**

National Policy

National Planning Policy Framework

Local Plan Policy

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

QL12 Planning Obligations

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG4 Affordable Housing in New Developments

HG6 Dwelling Size and Type

HG9 Private Amenity Space

HG14 Side Isolation

COM6 Provision of Recreational Open Space for New Residential Development

EN1 Landscape Character

EN6 Biodiversity

EN17 Conservation Areas

EN26 Historic Church Extensions

EN29 Archaeology

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
PEO10 Council Housing
PEO22 Green Infrastructure in New Residential Development
PLA4 Nature Conservation and Geo-Diversity
PLA5 The Countryside Landscape
PLA6 The Historic Environment
PLA7 Conservation Areas

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

3. Relevant Planning History

14/00608/OUT	Outline planning application with all matters reserved for the construction of 3 dwellings with associated garages and parking.	Approved	08.07.2014
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4. Consultations

Essex County Council Highways	From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to a number of controlling conditions and mitigation.
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5. Representations

- 5.1 No letters of objection have been received from local residents.
- 5.2 Weeley Parish Council did not object to the application but did remind the Council of the resolution taken by the Planning Committee on 24 June 2014, that the reserved matters application be referred to the Committee for its consideration in due course.

6. Assessment

The main planning considerations are:

- Site Context;
- Proposal;
- Principle of Development;
- Character and Appearance;
- Neighbouring Amenity;
- Highway Considerations;
- Biodiversity, and;
- Legal Obligations.

Site and Surrounding Area

- 6.1 Thorpe 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 number of large bungalows as well as some semi-detached properties.
- 6.2 The site is located to the east of the residential curtilage of Freelands which is screened by mature vegetation. To the east of the application site lies Brooks Farm which comprises a number of agricultural buildings with a mixed character with regard to design and appearance.
- 6.3 The site itself is mainly laid to grass and forms part of a larger field. An established hedgerow defines the northern boundary which marks the boundary of the site from the wide highway verge. The western boundary of the site is shared with Freelands and is defined by a hedgerow as well as fencing. As the site currently forms part of a larger field the eastern and southern boundaries are not defined on site.
- 6.4 The site measures approximately 37m in depth and has an average width of 40m with currently no access from Thorpe Road into the site.

Proposal

- 6.5 This application seeks planning permission for the construction of 3 dwellings with associated garages and off-street parking on the application site as defined within this application. Access to the site would be through a single access and egress point onto Thorpe Road.
- 6.6 The principle of the development was approved by Planning Committee on 24th June 2014 in the form of an outline application (14/00608/OUT). This current application is a reserved matters application which deals with all outstanding details that were not considered as part of the outline permission, which in this case are: access, appearance, landscaping, layout and scale.
- 6.7 The proposed development is for 3 detached chalet style dwellings all with associated private car and amenity space. The proposal provides 3 no. 4 bed dwellings which are accessed via Thorpe Road.
- 6.8 It is further suggested that extensive landscaping is being proposed along the eastern, southern and western boundaries with the existing hedge to the northern boundary of the site being retained.

- 6.9 It is noted that in accordance with the advice given at outline stage the current scheme sites the properties further forward on the site to accurately reflect the established build form along Thorpe Road.

Local Plan

- 6.10 In line with Section 38(6) of the Planning and Compulsory Purchase Act 2014, planning decisions must be taken in accordance with the 'development plan' unless material considerations indicate otherwise. The requirements of the National Planning Policy Framework are a material consideration in this regard.
- 6.11 The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. The 2012 Local Plan: Proposed Submission Draft, as amended by the 2014 Local Plan: Pre-Submission Focussed Changes, is the Council's emerging Local Plan.
- 6.12 On 25th march 2014, the Council decided that further substantial revisions to the emerging plan will be required before it is submitted to the Secretary of State to be examined by a Planning Inspector. These revisions will aim to ensure conformity with both the NPPF and the legal 'duty to cooperate' relating main to issues around housing supply. The separate Local Plan Committee is overseeing this work with a view to a new version of the plan being published for consultation in 2016.

Principle

- 6.13 The principle of the development was approved by the Planning Committee on 24th June 2014 in the form of an outline application (14/00608/OUT). This current application is a reserved matters application which deals with all the outstanding details that were not considered as part of the outline permission, which in this case are: access, appearance, landscaping, layout and scale.

Access

- 6.14 All of the proposed dwellings will be access off a single access/exit point from Thorpe Road. Internally an 8m turning square has been provided with associated hardstanding for at least two parking spaces for each of the dwellings being proposed.
- 6.15 Essex County Council Highways were consulted at outline stage and raised no objections subject the conditions/mitigation measures. From an analysis of the submitted plans it is clear that these conditions/mitigation measures have been included as part of the current scheme and officers are subsequently of the opinion that the scheme would not result in any highways safety concerns. This is confirmed by the fact that the Highways Authority again raised no objection to the detailed application subject to a number of conditions and mitigation.
- 6.16 Some of the conditions recommended are the same as those on the outline planning permission and therefor do not need to be re-imposed as they will still need to be complied with. Others are shown as being complied with on the submitted plans, which will be covered by a condition requiring the development to be carried out in accordance with the approved plans.

Scale, Layout and Appearance

- 6.17 The proposed dwellings are all chalet style in height and of a design, appearance and scale which reflects the development along Thorpe Road. Whilst no specific materials have been agreed, the applicants have indicated that Plot 1 & 2 are similar, but handed and with alternative external materials being proposed. The former will have a mix of brick and weatherboarding, while the latter will be only in brick. Plot 3 has a slightly larger two storey gable feature will be constructed with brick and weatherboarding at first floor level.
- 6.18 It is considered that the varying external finishes proposed would result in a development with a mixed character that would reflect the existing character of the immediate area.
- 6.19 Each of the proposed dwellings is provide with adequate parking provision and amenity space in accordance with the Council's Adopted Standards.
- 6.20 Overall, it is considered that the design and layout proposed would not be detrimental to the character and appearance of the surrounding area.

Landscaping

- 6.21 As part of the application it has been stated that additional tree and hedgerow planting would occur to the boundaries of the site. Further details of species etc. will be secured by a landscaping condition. Officers are of the view that the retention of the hedge to the Thorpe Road frontage would help soften the development and that this in combination with the proposed landscaping condition would deliver a scheme that would be acceptable in policy terms.

Neighbours Amenities

- 6.22 The NPPF, in 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 Tendring District Local Plan (2007) 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 occupied or nearby properties.' Policy SD9 of the Tendring District Council Local Plan Proposed Submission Draft (2012) supports these objectives and states that 'the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.'
- 6.23 While the neighbouring bungalows at Freelands is located more than 11m to the west, the scheme proposes a low ridge line of 7.7m for the dwelling on Plot1. In addition it is noted that no windows are being proposed at first floor level on the gable facing towards Freelands. As a result officers conclude that no overlooking will occur directly into this property.
- 6.24 In addition any side facing windows that could in future be considered at first floor level would need to be obscure-glazed, and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed to not require the submission of a formal planning application.
- 6.25 Given the above safeguards officers conclude that the privacy of the immediate neighbour at Freelands can be secured and as a result the scheme would not have any harmful impact on the amenities enjoyed by the occupiers of this property.

Other Matters

- 6.26 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.

- 6.27 Planning Committee on 24th June 2014 resolved to grant outline planning permission subject to the completion of a legal agreement relation to open space provision.
- 6.28 The legal agreement was subsequently completed and outline planning permission was granted on 8th July 2014.

Conclusion

- 6.29 Based on the above assessment of the details submitted with regard to the reserved matters it is concluded that the proposed works would result in a development that would be compliant with the aims and objectives of National and Local Planning Policies and is therefore recommended for approval.

Background Papers

None