



PLANNING COMMITTEE

DATE: Tuesday 26 June 2018
TIME: 6.00 pm
VENUE: Council Chamber, Council Offices,
Thorpe Road, Weeley, CO16 9AJ

MEMBERSHIP:

Councillor White (Chairman)	Councillor Cawthron
Councillor Heaney (Vice-Chairman)	Councillor Everett
Councillor Alexander	Councillor Fowler
Councillor Baker	Councillor Hones
Councillor Bennison	Councillor McWilliams
Councillor M Brown	

Most Council meetings are open to the public and press.

Agendas and Minutes are published on the Council's website www.tendringdc.gov.uk. Agendas are available to view five working days prior to the meeting date and the Council aims to publish Minutes within five working days of the meeting.

Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.

For further details and general enquiries about this meeting, contact Katie Sullivan on 01255686585.

DATE OF PUBLICATION: MONDAY 18 JUNE 2018

AGENDA

1 **Apologies for Absence and Substitutions**

The Committee is asked to note any apologies for absence and substitutions received from Members.

2 **Minutes (Pages 1 - 12)**

To confirm and sign as a correct record, the minutes of the meeting of the Committee, held on 30 May and 6 June 2018.

3 **Declarations of Interest**

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

4 **A.1 - Planning Application - 18/00194/FUL - Land North of Tokely Road, Frating, CO7 7GA (Pages 13 - 28)**

Erection of 67 dwellings (amended description).

5 **A.2 - Planning Application - 17/01909/OUT - Greenfield Farm, Main Road, Harwich, CO12 4LT (Pages 29 - 50)**

Proposed erection of 42 dwellings with associated access arrangements.

6 **A.3 - Planning Application - 18/00861/DETAIL - Land to the East of Tye Road, Elmstead, CO7 7BB (Pages 51 - 60)**

Reserved matters application for construction of new access to serve housing development approved under 16/00219/OUT (amendment to application 17/00927/DETAIL).

7 **A.4 - Planning Application - 18/00320/FUL - Cliff Slope Between Hazelmere Road and Queensway and Anglefield and Victoria Road, Holland-on-Sea, (Pages 61 - 70)**

Stabilisation and remediation measures for the cliff slope.

8 **A.5 - Planning Application - 18/00613/FUL - Barnes House, 92 Pier Avenue, Clacton-on-Sea, CO15 1NJ (Pages 71 - 76)**

Proposed first floor flat roof extension at the rear of Barnes House and proposed two-storey link between Barnes House and 86-90 Pier Avenue.

9 **A.6 - Planning Application - 18/00659/FUL - March House, Clacton Road, Thorrington, CO7 8JW (Pages 77 - 82)**

Proposed annexe building to provide living accommodation.

Date of the Next Scheduled Meeting

The next scheduled meeting of the Planning Committee is to be held in the Council Chamber, Council Offices, Thorpe Road, Weeley, CO16 9AJ at 6.00 pm on Tuesday, 24 July 2018.

Information for Visitors

FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the hall and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

Your calmness and assistance is greatly appreciated.

Tendring District Council



PLANNING COMMITTEE MEETINGS PUBLIC SPEAKING SCHEME May 2017

This Public Speaking Scheme is made pursuant to Council Procedure Rule 38 and gives the opportunity for a member of the public and other parties identified below to speak to Tendring District Council's Planning Committee when they are deciding a planning application.

TO WHICH MEETINGS DOES THIS SCHEME APPLY?

Usually any public meeting of the Council's Planning Committee, which are normally held every 4 weeks in the Council Chamber at the Council Offices, Thorpe Road, Weeley CO16 9AJ beginning at 6.00 pm. In some instances, the Planning Committee may be held at the Town Hall, Station Road, Clacton-on-Sea CO15 1SE and the public are encouraged to check the venue on the Council's Website before attending.

WHO CAN SPEAK & TIME PERMITTED? All speakers must be aged 18 or over:

1. One member of the public who wishes to comment on or to speak in favour of the application or someone who produces a signed, written authority to speak on their behalf. A maximum of 3 minutes is allowed;
2. One member of the public who wishes to comment on or speak against the application or someone who produces a signed, written authority to speak on their behalf. A maximum of 3 minutes is allowed;
3. Where the proposed development is in the area of a Parish or Town Council, one Parish or Town Council representative. A maximum of 3 minutes is allowed;
4. All District Councillors for the ward where the development is situated ("ward member") or (if the ward member is unable to attend the meeting) a District Councillor appointed in writing by the ward member. Member(s) of adjacent wards or wards impacted by the proposed development may also speak with the agreement of the Chairman. Permission for District Councillors to speak is subject to the Council's Code of Conduct and the declarations of interest provisions will apply. A maximum of 5 minutes is allowed;
5. In accordance, with Council Procedure Rule 34.1, this Public Speaking Scheme takes precedence and no other Member shall be entitled to address or speak to the Planning Committee under Rule 34.1;
6. The applicant, his agent or representative; or (where applicable) one person the subject of the potential enforcement action or directly affected by the potential confirmation of a tree preservation order, his agent or representative. A maximum of 3 minutes is allowed; and
7. A member of the Council's Cabinet may also be permitted to speak on any application but only if the proposed development has a direct impact on the portfolio for which the Cabinet member is responsible. The Leader of the Council must approve the Cabinet Member making representations to the Planning Committee. A maximum of 3 minutes is allowed.

Any one speaking as a Parish/Town Council representative maybe requested to produce written evidence of their authority to do so, by the District Council's Committee Services Officer (CSO). This evidence may be an official Minute, copy of standing orders (or equivalent) or a signed letter from the Clerk to the Parish/Town Council and must be shown to the DSO before the beginning of the Planning Committee meeting concerned.

No speaker, (with the exception of Ward Members, who are limited to 5 minutes) may speak for more than 3 minutes on any agenda items associated with applications (such as a planning application and an associated listed building consent application). Speakers may not be questioned at the meeting, nor can any public speaker question other speakers, Councillors or Officers. Speakers are not permitted to introduce any photograph, drawing or written material, including slide or other presentations, as part of their public speaking.

All Committee meetings of Tendring District Council are chaired by the Chairman or Vice-Chairman (in their absence) whose responsibility is to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community. The Chairman of the Planning Committee therefore, has authority to use their discretion when applying the Public Speaking Scheme to comply with this duty.

WHICH MATTERS ARE COVERED BY THIS SCHEME?

Applications for planning permission, reserved matters approval, listed building consent, conservation area consent, advertisement consent, hazardous substances consent, proposed or potential enforcement action and the proposed or potential confirmation of any tree preservation order, where these are the subject of public reports to the Planning Committee meeting.

HOW CAN I FIND OUT WHEN A MATTER WILL BE CONSIDERED?

In addition to the publication of agendas with written reports, the dates and times of the Planning Committee meetings are shown on the Council's website. It should be noted that some applications may be withdrawn by the applicant at short notice and others may be deferred because of new information or for procedural reasons. This means that deferral takes place shortly before or during the Planning Committee meeting and you will not be able to speak at that meeting, but will be able to do so at the meeting when the application is next considered by the Planning Committee.

DO I HAVE TO ATTEND THE PLANNING COMMITTEE MEETING TO MAKE THE COMMITTEE AWARE OF MY VIEWS?

No. If you have made written representations, their substance will be taken into account and the Committee report, which is available to all Planning Committee Councillors, will contain a summary of the representations received.

HOW DO I ARRANGE TO SPEAK AT THE MEETING?

You can:-

Telephone the Committee Services Officer ("CSO") (01255 686585) during normal working hours on any weekday after the reports and agenda have been published,

OR

On the day of the Planning Committee meeting, you can arrive in the Council Chamber at least 15 minutes before the beginning of the meeting (meetings normally begin at 6.00pm) and speak to the DSO.

If more than one person wants to speak who is eligible under a particular category (e.g. a member of the public within the description set out in numbered paragraph 1 above), the right to speak under that category will be on a "first come, first served" basis.

Indicating to the Chairman at a site visit that you wish to speak on an item is NOT formal notification or registration to speak; this must be made via the Committee Services Officer in the manner set out above.

WHAT WILL HAPPEN WHEN THE MATTER CONCERNED IS CONSIDERED?

- Planning Officer presents officer report
- Public speaking takes place in the order set out above under the heading "WHO CAN SPEAK?"
- Officer(s) may respond on factual issues arising from public speaking and may sum up the key policies and material planning considerations relevant to the application
- Committee Members may ask Officers relevant questions and may move, debate and vote

Normally, the Committee then determines the matter, but sometimes the Councillors decide to defer determination, to allow officers to seek further information about a particular planning issue. If a matter is deferred after the public speaking, the Committee will not hear public speaking for a second time, unless there has been a substantial change in the application which requires representations to be made. The Executive Summary section of the Planning Committee Report will identify whether public speaking is going to be permitted on an application being reconsidered after deferral. If there is an update since the Report was published, the Council's website will confirm this information.

WHAT SHOULD I SAY AT THE MEETING?

Please be straightforward and concise and try to keep your comments to planning matters which are directly relevant to the application or matter concerned. Planning matters may include things such as planning policy, previous decisions of the Council on the same site or in similar circumstances, design, appearance, layout, effects on amenity, overlooking, loss of light, overshadowing, loss of privacy, noise or smell nuisance, impact on trees, listed buildings or highway safety.

Matters such as the following are not relevant planning matters, namely the effect of the development on property value(s), loss of view, personality or motive of the applicant, covenants, private rights or easements and boundary or access disputes.

Please be courteous and do not make personal remarks. You may wish to come to the meeting with a written statement of exactly what you want to say or read out, having checked beforehand that it will not overrun the 3 minutes allowed.

WHO DO I CONTACT FOR MORE INFORMATION?

The Council's website will help you and you can also contact the relevant planning Case Officer for the matter. The name of the Officer is on the acknowledgement of the application or in the correspondence we have sent you.

Tendring District Council, Planning Services, Council Offices, Thorpe Road, Weeley,
CLACTON-ON-SEA, Essex CO16 9AJ Tel: 01255 686161 Fax: 01255 686417
Email: planningservices@tendringdc.gov.uk Web: www.tendringdc.gov.uk

It always helps to save time if you can quote the planning application reference number.

Monitoring Officer
Tendring District Council
in consultation with Head of Planning and
Chairman of the Planning Committee
(Council Procedure Rule 38)
May 2017

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON WEDNESDAY, 30TH MAY, 2018 AT 6.00 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY,
CO16 9AJ**

Present:	Councillors White (Chairman)(except item 13), Alexander, Baker, Bennison, M Brown, Cawthron, Everett (except items 11 - 12), Fowler, Hones and McWilliams
Also Present:	Councillors Davis, Fairley (items 10 (part) – 12 only), Nicholls, Raby (item 10 only), Talbot and Watson (item 10 only)
In Attendance:	Graham Nourse (Planning Manager), Gary Guiver (Planning Manager)(except items 11 - 14), Ian Ford (Committee Services Manager), Charlotte Parker (Solicitor (Property, Planning and Governance)) and Susanne Chapman-Ennos (Planning Team Leader)

7. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Heaney (with no substitute).

8. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 1 May 2018, were approved as a correct record and signed by the Chairman.

9. DECLARATIONS OF INTEREST

Councillor Everett declared Personal Interests in Planning Applications 18/00428/FUL and 18/00418/FUL insofar as he lived nearby to the application sites. He also declared that he would withdraw from the meeting at the appropriate time and he would not take part in the determining of those applications.

Councillor White declared a Personal Interest in Planning Application 18/00464/FUL insofar as he was a local Ward Member and a member of St Osyth Parish Council (who had objected to the application). He also declared that he was pre-determined on the application and that he would therefore vacate the Chair for this item, speak from the public gallery on the application, withdraw from the Chamber and would not take part in the determining of this application.

10. A.1 - PLANNING APPLICATION - 17/01229/OUT - LAND ADJACENT AND TO THE REAR OF 755 AND 757 ST JOHNS ROAD, CLACTON-ON-SEA, CO16 8BJ

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Planning Team Leader (SC-E) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of:

- (1) Officers comments in response to an additional comment received in relation to the public advertisement of the application; and
- (2) a further consultation response received from Essex County Council.

Nicky Parsons, on behalf of the applicant's agent, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor McWilliams, seconded by Councillor Alexander and **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to:-

- a) Within 6 (six) 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 (where relevant and subject to the completion of viability testing):
 - On-site Council Housing/Affordable Housing (the quantum and tenure to be agreed by the Head of Planning following the satisfactory completion of viability testing);
 - Provision of land on-site for a new healthcare facility together with a financial contribution towards its provision. [In the event that the land is not required, the financial contribution will be spent on health facilities elsewhere (to be determined by the NHS);
 - Transfer of new open space, including proposed equipped play areas to the Council or a management company;
 - Land for a new primary school and early years and childcare facility on site with financial contributions towards the provision of those facilities;
 - Financial contributions to create additional secondary school places;
 - New neighbourhood centre;
 - Financial contributions towards off-site ecological mitigation; and
 - Routing of Bus services through the development.
- 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. Standard 3 year time limit for submission of first reserved matters application (which can thereafter be submitted in phases to reflect the phasing of the development.
 2. Standard 2 year limit for commencement of development following approval of reserved matters.
 3. Details of appearance, layout, scale and landscaping (the reserved matters).
 4. Layout and phasing plan/programme.
 5. Compliance with approved access plans.
 6. Development to be in accordance with the approved parameters plans.
 7. Development to contain up to (but no more than) 950 dwellings and quantum of non-residential development specified.

8. Highways conditions (as recommended by the Highway Authority) relating to:
 - detailed junction arrangements on St. Johns Road and Jaywick Lane;
 - cycleway/footway across St. Johns Road and Jaywick Lane frontages;
 - bus services to be routed through the development;
 - residential travel plans;
 - improvements at existing St. John's Road/Jaywick Lane junction;
 - improvements at the Bockings Elm junction of St. John's Road and Cloes Lane to include the provision of traffic signals or an alternative junction arrangement to be agreed with the Local Planning Authority;
 - improvements to St. John's Road/Peter Bruff Avenue junction;
 - improvements at St. John's roundabout;
 - road safety assessments to be completed for all the above measures;
 - no discharge of surface water onto the highway;
 - wheel cleaning facilities; and
 - car parking spaces and garages.
9. Construction methods statement.
10. Surface water drainage scheme and management arrangements.
11. Foul water drainage strategy.
12. Archaeological assessment/trial trenching.
13. Contaminated land investigation and remediation.
14. Piling restrictions.
15. Details of levels, lighting, boundary treatments, materials and refuse storage/collection points.
16. Hard and soft landscaping plan/implementation.
17. Tree protection measures.
18. Construction Environmental Management Plan.
19. Landscape and ecology mitigation/management plan.
20. Details of dog walking routes (part of ecological mitigation).
21. Broadband connection.
22. Local employment arrangements.
23. Details of water, energy and resource efficiency measures.

- c) That the Head of Planning (or the equivalent authorised officer) be authorised to refuse planning permission in the event that such legal agreement has not been completed within the period of 6 (six) months, or further period as agreed, as the requirements necessary to make the development acceptable in planning terms had not been secured through a Section 106 planning obligation.

11. A.2 - PLANNING APPLICATION - 18/00428/FUL - LAND ADJACENT 28 ASHLYNS ROAD, FRINTON-ON-SEA, CO13 9EU

Councillor Everett had earlier declared a Personal Interest in Planning Application 18/00428/FUL insofar as he lived nearby to the application site. He therefore withdrew from the meeting and he did not take part in the determination of this application.

It was reported that this application had been referred to the Planning Committee at the request of Councillor Turner, a local Ward Member.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Planning Officer (ML) in respect of the application.

Councillor Fairley, on behalf of Councillor Turner, a local Ward Member, spoke against the application.

Peter Le Grys, the agent acting on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Bennison, seconded by Councillor Fowler and **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to the following conditions:-

- Standard 3 year time limit
- List of approved plans
- Remove Permitted development rights for roof additions, outbuildings and extensions
- Construction method statement
- No unbound material in first 6m of access
- Vehicular parking/garage provided prior to occupation and retained thereafter
- Access to be 3m in width, at right angles to highway and served by dropped kerb
- No discharge of surface water onto the highway
- Details of materials
- Hard/Soft landscaping scheme/implementation

12. **A.3 - PLANNING APPLICATION - 18/00418/FUL – STOCKSFIELD, FIRST AVENUE, FRINTON-ON-SEA, CO13 9EZ**

Councillor Everett had earlier declared a Personal Interest in Planning Application 18/00418/FUL insofar as he lived nearby to the application site. He therefore withdrew from the meeting and he did not take part in the determination of this application.

It was reported that this application had been referred to the Planning Committee at the request of Councillor Turner, a local Ward Member.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Planning Manager (GN) in respect of the application.

Councillor Fairley, on behalf of Councillor Turner, a local Ward Member, spoke against the application.

Kieran O'Phelan, the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Alexander, seconded by Councillor Fowler and **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to the following conditions:-

1. Three Year Time Limit
2. Approved Plans

13. **A.4 - PLANNING APPLICATION - 18/00464/FUL - 138 COLNE WAY, POINT CLEAR BAY, ST OSYTH, CO16 8LU**

Councillor White had earlier declared a Personal Interest in Planning Application 18/00464/FUL insofar as he was a local Ward Member and a member of St Osyth Parish Council (who had objected to the application). He had also declared that he was pre-determined on this application and he therefore, at this time, vacated the Chair for this item and retired to the public gallery.

In the absence of the Vice-Chairman of the Committee, it was then moved by Councillor McWilliams, seconded by Councillor Hones and **RESOLVED** that Councillor Baker occupy the Chair for this item only.

It was reported that this application had been referred to the Planning Committee as the applicant was an elected Councillor of Tendring District Council.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Planning Manager (GN) in respect of the application.

Councillor White, in his capacity as a local Ward Member, spoke against the application. He then withdrew from the Chamber.

Councillor Talbot, as a local Ward Member, spoke against the application.

Following discussion by the Committee, it was moved by Councillor McWilliams, seconded by Councillor Alexander and **RESOLVED** that consideration of this application be deferred in order to enable the Officers to hold further discussions with the applicant with a view to persuading the applicant to reduce the mass and height of the proposed replacement dwelling.

14. **A.5 - PLANNING APPLICATION - 18/00308/OUT - MARSH FARM COTTAGE, STONEY LANE, BRIGHTLINGSEA, CO7 0SR**

At the request of the Chairman, this item had been deferred prior to the commencement of the meeting as further information was felt to be needed with regard to a habitat study of the site needing to be carried out.

The meeting was declared closed at 8.26 pm

Chairman

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**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON WEDNESDAY, 6TH JUNE, 2018 AT 6.00 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY,
CO16 9AJ**

Present:	Councillors White (Chairman), Alexander, Baker (except items 17 and 18), Bennison, M Brown, Cawthron, Everett, Fowler, Hones and McWilliams
Also Present:	Councillor Nicholls, Councillor C Guglielmi (item 15 only) and Councillor Coley (item 15 only)
In Attendance:	Cath Bicknell (Head of Planning), Graham Nourse (Planning Manager), Jeff Sadler (Agency Planning Officer), Charlotte Parker (Solicitor (Property, Planning and Governance)) and Debbie Bunce (Legal and Governance Administration Officer)

15. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillor Heaney.

16. DECLARATIONS OF INTEREST

Councillor Baker declared that he was pre-determined on applications A.1 and A.2 and stated that he would therefore withdraw from the Chamber and would not take part in the determining of those application.

17. A.1 - PLANNING APPLICATION - 17/01537/OUT - LAND TO THE SOUTH OF LONG ROAD AND TO THE WEST OF CLACTON ROAD, MISTLEY, CO11 2HN

Councillor Baker, in accordance with his earlier declaration of interest (Minute 16 refers), withdrew from the Chamber whilst this application was considered and determined.

The Committee was aware that the site benefited from an extant outline planning consent for 300 homes and 2 hectares of employment land. That planning permission had been granted subject to a number of planning conditions including that any detailed plans for the site needed to be in general conformity with the submitted parameter plans. Those broadly identified, the location of housing, commercial development and open space as well as the height of the development.

The Committee was informed that this planning application sought to vary those parameter plans in order to allow certain amendments to the scheme layout. It followed on from a similar application for variation of the parameter plans that had been refused by the Committee at its meeting held on 10 August 2017. The current application now sought to address the reasons for the Committee's refusal by complying more closely with the original outline consent. Accordingly there would be:

- Nominal reduction in the overall amount of approved open space;
- Nominal enlargement in approved developed area;

- Re-distribution of approved height limits across the site to include buildings between 1 – 2.5 storeys;
- Re-location within the site of the approved employment land;
- The approved access point onto Clacton Road to be moved further north.

It was reported that there would be no changes to the total number of homes or the amount, or use class of employment land, as that could only be achieved through a whole new planning application for the site.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Agency Planning Officer (JS) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of a correction to paragraph 6.21 with reference to a 2.5 storey adjacent to the commercial area being deleted.

Councillor Coley, a local Ward Member, spoke against the application.

Councillor C Guglielmi, a local Ward Member, spoke against the application.

Samuel Bampton the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Fowler seconded by Councillor Cawthron and **RESOLVED** that the Head of Planning (or equivalent authorised Officer) be authorised to grant outline planning permission for the proposed development (up to 300 dwellings, up to 2 hectares of employment land (A2/A3/B1/D1 uses), with associated public open space and infrastructure) but with a variation to condition 4 of the decision notice to require the development to be in general conformity with the revised parameters plans.

All other planning conditions are to remain unchanged from the outline planning permission 15/00761/OUT as well as the completed Section 106 legal agreement to secure education contributions, affordable housing, open space and open space maintenance contribution, healthcare contributions and contributions towards highway improvements to the crossing at Manningtree Station.

Conditions:

- 1 Submission of Reserved Matters;
- 2 Submission of Reserved Matters;
- 3 Commencement of development;
- 4 Reserved Matters in general conformity with approved indicative drawings;
- 5 Maximum no of dwellings and employment land;
- 6 Phasing Plan and Programme;
- 7 Details of materials;
- 8 Landscaping implementation;
- 9 Replacement planting within 5 years;

- 10 Accordance with Tree Constraints Plan;
- 11 Public Open Space Management Plan;
- 12 Boundary details;
- 13 Foul water strategy;
- 14 Surface Water drainage scheme;
- 15 Scheme to minimise off site flooding;
- 16 Drainage maintenance scheme;
- 17 Highway Improvements;
- 18 Sustainable Transport information;
- 19 Ecological Mitigation Scheme;
- 20 Archaeological Investigation;
- 21 Construction Method Statement;
- 22 Refuse/Recycling Details;
- 23 Cycle Storage;
- 24 Broadband Connection;
- 25 Recruitment Strategy.

18. A.2 - PLANNING APPLICATION - 17/00535/DETAIL - LAND TO THE SOUTH OF LONG ROAD AND TO THE WEST OF CLACTON ROAD, MISTLEY

Councillor Baker, in accordance with his earlier declaration of interest (Minute 16 refers), withdrew from the Chamber whilst this application was considered and determined.

The Committee was aware that the site benefited from extant outline planning consent for 300 homes and 2 hectares of employment land. Planning permission had been granted subject to a number of planning conditions including that any detailed plans for the site needed to be in general conformity with the submitted parameter plans. Those broadly identified, the location of housing, commercial development and open space as well as the height of development.

Members were also aware that, earlier in the meeting, they had considered and approved Application 17/01537/OUT for amendment of those parameter plans by the variation of Condition 4 of planning permission 15/00761/OUT. This had been necessary in order that this application for Reserved Matters could be considered and be approved as this Reserved Matters application had been amended in order to relate to the amended parameter plans.

The Committee was informed that this Reserved Matters application for Phase 1 related to the development of 96 residential units on the northern part of the site, which equated to approximately one third of the housing quota for the entire site and included extensive landscaped areas adjoining Long Road and Clacton Road. An access off Clacton Road was also a reserved matter, details of the site access off Long Road having been approved at the outline stage. The approved commercial development would form part of a future phase of site development on land to the south. Although it had initially been proposed to incorporate a small amount of retail development into the Phase 1 scheme, this had now been deleted from the proposal.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Agency Planning Officer (JS) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of:

- 1 Position of maximum speed limit on Clacton Road – to be agreed with the Highway Authority.
- 2 Programme for works to Long Road. This is covered by Condition 17 of Application 17/01537/OUT. Clause 2.0 of the S106 also requires that 'The Owner hereby covenants with the County Council (in respect of the Highway Improvements Contribution) not to occupy (or allow, cause or permit the Occupation of) more than (50) dwellings unless and until: 2.2 the Highway Improvements Contribution has been paid to the County Council'.
- 3 Programme for provision of affordable housing and location – Schedule 2 'Affordable Housing' Part One of the S106 Agreement requires that: 'The owner hereby covenants with the Council as follows: 1. Not to commence development unless and until the Affordable Housing Plan and Specification (for the eighteen affordable units) has been submitted to the Council and the Council has approved the Affordable Housing Plan in writing'.

The affordable housing units (18) do not need to be provided until 150 market Dwellings have been occupied – i.e. during a later Phase of development.

- 4 Provision in respect of Bus Services – The central estate road is to be suitable (in respect of specification) for use as a bus route upon completion of development (i.e. subsequent Phases).

Samuel Bampton, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, about the request for further information on whether a retail element could be included in the site and whether single storey dwellings could form part of the first phase of development, it was moved by Councillor Everett, seconded by Councillor Bennison and **RESOLVED** that consideration of this application be deferred in order to enable the Officers to hold further discussions with the applicant with a view to the lack of retail space on the site and the lack of one storey dwellings.

19. A.3 - PLANNING APPLICATION - 17/02204/FUL - CROWN BUSINESS CENTRE, OLD IPSWICH ROAD, ARDLEIGH, CO7 7QR

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Agency Planning Officer (JS) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of:

1. Clarification was received from the tree officer in order to address concerns raised by Members during the course of the Members' site visit on Wednesday 30th May.

The tree identified as T1 on the tree report is a mature healthy specimen that does not appear to have any significant structural defects. From a visual inspection from the ground it shows no signs of pest or disease infestation or attack. It is a good quality tree with considerable future life expectancy

In terms of the amenity value of T1 its position is such that views are limited to a few locations on the Old Ipswich Road and from a short section of Crown Lane. Of course it can be seen from the old driving range – but this is not a place where the public are freely able to visit. The tree is some way from the nearest public places from which it can be seen. This means that although the tree is a very good specimen its amenity value is only moderate.

The remainder of the line of trees will be retained and will make a positive contribution to the appearance of the area. At the time of my first site visit I was of the opinion that the retention of the remainder of the trees covered by the TPO meant that the removal of a single tree would not have a significant detrimental impact on the amenities of the locality – especially taking into account the position of T1 and the degree to which it can currently be seen and enjoyed by the public

Although it would be desirable to retain the tree the new planting associated with the development of the land will greatly increase the local tree population.

On balance, and only in terms of issues relating to trees, it is considered that the scheme will significantly increase the number of trees planted in the vicinity and that this would be adequate compensation for the loss of the tree in question.

The development proposal also necessitates the removal of two smaller Oak trees; these are T9 of the tree report and another Oak on the boundary with the highway. The removal of these trees will also not have a significant adverse impact on the character or appearance of the area.

As previous comments – soft landscaping required

2. In respect of public footway provision – a new 2m wide footway would be required on the eastern side of Old Ipswich Road from the site entrance to the pedestrian access into the Crown Inn. A pedestrian crossing would be provided to connect to an existing footway on the western side of Old Ipswich Road, utilising a central reservation. This is dealt with under Condition 9 of this Report and will in turn require a S278 Highways Agreement to be entered into.

Following discussion by the Committee regarding the protected trees that would be removed for construction of the development, it was moved by Councillor Everett, seconded by Councillor McWilliams and **RESOLVED** that consideration of this application be deferred in order to enable the Officers to hold further discussions with the applicant with a view to the redesigning one section of the small business units in order to retain the oak tree, which was the subject of a Tree Preservation Order.

The meeting was declared closed at 8.11 pm

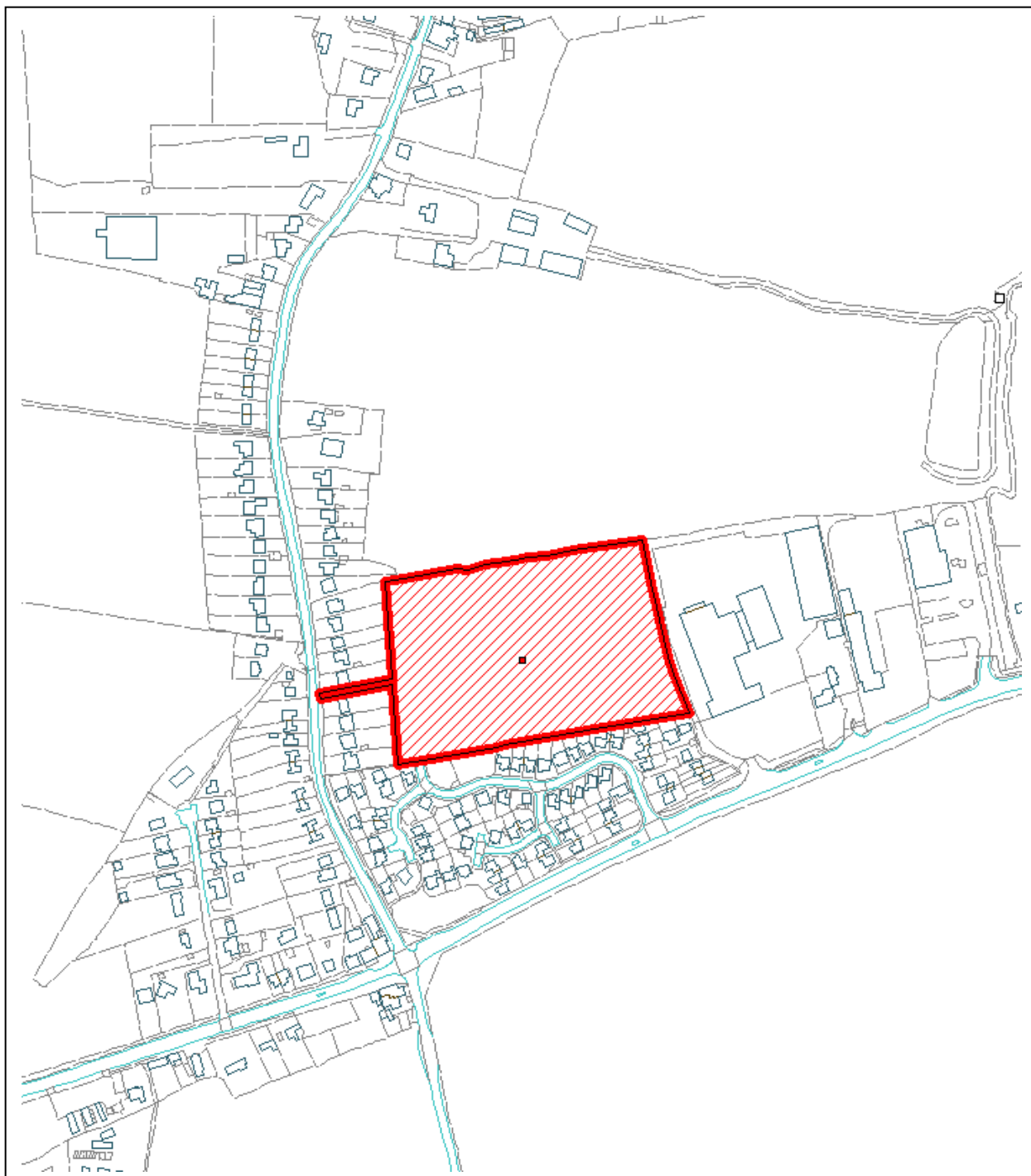
Chairman

PLANNING COMMITTEE

26th June 2018

REPORT OF THE HEAD OF PLANNING

A.1 PLANNING APPLICATION - 18/00194/FUL - LAND NORTH OF TOKELY ROAD, FRATING, CO7 7GA



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Application:	18/00194/FUL	Town / Parish: Frating Parish Council
Applicant:	Ms Sophie Lejeune - Sanctuary Housing	
Address:	Land North of Tokely Road Frating	
Development:	Erection of 67 dwellings (amended description)	

1. Executive Summary

- 1.1 The site lies to the north of Tokely Road, to the east of Bromley Road, and to the west of an industrial estate. Open farmland lies to the north. Although outside of the settlement boundary, as defined by the 2007 Adopted Local Plan, the site has been included within the settlement boundary in the context of the emerging Local Plan.
- 1.2 The site benefits from an extant planning permission allowed at appeal Ref: 14/01371/OUT for 49 dwellinghouses, in conjunction with areas of open space. The current proposal seeks to increase site density to provide 67 dwellinghouses, without significant reduction in the extent of open space provision. The development would be accessed off Tokely Road with a separate shared cycleway and pedestrian access onto Bromley Road and 30% of the dwellings would be affordable.
- 1.3 Consultee response is awaited from ECC SUDS which will be reported to planning committee as an 'update'. All other consultee responses have been positive and subject to conditions, there are no outstanding issues or objections in principle.
- 1.4 Although the Parish Council and members of the local community have expressed a range of concerns relating to the sustainability of a development of this scale, the cumulative impact of surface water and foul water drainage and the impact of vehicular movements, particularly during the construction phase, all such matters have been satisfactorily addressed and where appropriate would be subject to conditions.
- 1.5 Officers consider that the development would be sympathetic to the character and appearance of neighbouring residential development and that the Council's spatial standards would be met with there being no loss of amenity to neighbouring residential occupiers.
- 1.6 The application accords with the provisions of the NPPF and the Development Plan for Tendring having regard to adopted and emerging Local Plan Policies. As such the proposal represents sustainable development and should be approved subject to conditions and the entering into of a S106 agreement to secure affordable housing and planning contributions.

Recommendation: Approve

That the Head of Planning be authorised to grant planning permission for the development subject to:-

- a) Within 6 (six) 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 (where relevant):

- Affordable housing
- Open space and open space maintenance contributions
- Children's play space contribution
- Education Contribution

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).

Conditions:

1. Time limit for commencement of development (Full permission)
2. Details – Compliance with all plans
3. Landscaping details submission and approval
4. Landscaping implementation and retention
5. Tree protection/replacement
6. Landscape Management Plan
7. Levels
8. Principal and secondary means of access
9. Access/carrageway specification
10. Details and provision of bicycle storage
11. Permeable surfacing
12. Walls fences and boundary treatments
13. Sustainable Urban Drainage (Where SUDS required and scheme not agreed)
14. Foul water strategy
15. Lighting Scheme
16. Materials
17. Access for the disabled
18. Garage/car spaces (to be retained)
19. Glazing – obscured (flank wall windows)
20. Construction Management Plan
21. Parking provision – prior to occupation
22. Permitted Development Rights restriction

2. Planning Policy

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL2 Promoting Transport Choice

QL3 Minimising and Managing Flood Risk

QL11 Environmental Impacts and Compatibility of Uses

QL12 Planning Obligations

COM1 Access for All

COM6 Provision of Recreational Open Space for New Residential Development

COM24 Health Care Provision

COM26 Contributions to Education Provision

COM29 Utilities

COM30 Electricity Supply

COM31A Sewerage and Sewage Disposal

EN1 Landscape Character

EN4 Protection of the Best and Most Versatile Agricultural Land

EN6 Biodiversity

EN6A Protected Species

TR1A Development Affecting Highways

TR2 Travel Plans

TR5 Provision for Cycling

TR6 Provision for Public Transport Use

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

HP5 Open Space, Sports & Recreation Facilities

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

LP5 Affordable and Council Housing

PP12 Improving Education and Skills

PPL1 Development and Flood Risk

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

Local Planning Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

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. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

3. Relevant Planning History

14/01371/OUT	Outline application with all matters reserved (except for principal means of access) for a residential development comprising up to 49 dwellings (including up to 40% affordable housing), open space and vehicular access from Tokely Road.	Allowed at Appeal	24.12.2014
16/01152/DETAIL	Reserved matters application for details of layout, appearance, scale and landscaping pursuant to appeal decision APP/P1560/W/15/3014909 (TDC planning ref 14/01371/OUT) relating to a residential development of 49 dwellings.	Approved	01.12.2016
18/00194/FUL	Erection of 68 dwellings.	Current	

4. Consultations

Anglian Water Services Ltd	There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. An Informative is recommended.
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Wastewater Treatment

The foul drainage from this development is in the catchment of Great Bromley Water Recycling Centre that will have available capacity

Foul Sewerage

A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures to prevent flooding downstream. Request a condition requiring the drainage strategy covering the issues to be agreed.

Surface Water Disposal

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA). Request a condition requiring a drainage strategy covering the issues to be agreed.

Building Control and Access Officer

Fire tender access must be provided to within 45m of any point on the floor plan of all dwellings. No other comments at this time.

Essex County Council Archaeology

An archaeological evaluation has been completed for the above site as a condition on an earlier application 14/01371/OUT. The evaluation did not reveal any significant archaeological remains and no further work was required. A report has been received and approved by this office; therefore there are no recommendations for conditions on the above application.

ECC Highways Dept

The Highway Authority has assessed the details of this application and taken regard to the following points;

- 1) The existing 2014 permission for up to 49 units
- 2) The level of traffic associated with the previous application which has been accepted
- 3) The level of intensification created by the current proposal for 68 units

Previously the Highway Authority accepted the proposal providing the following aspects were satisfied;

- 1) Parking and turning facilities to standard
- 2) Road construction details
- 3) A 5.5m carriageway with 2x2m footways
- 4) A 3m wide cycleway/footway

The current proposal only aims to increase the number of units on site by 19 dwellings.

The Parish have asked for a scheme of traffic calming and speed reduction on Tokely Road to mitigate against the proposed increase in traffic. This would entail the developer entering into a legal agreement to construct the traffic calming measures within the highway, and a full Traffic Regulation Order (TRO) to amend the speed limit.

In order to impose these conditions, they would need to satisfy the tests within the National Planning Policy Framework that they were necessary to make the scheme viable, and were reasonable and

within scale.

This Authority does not consider a full scheme of traffic calming, and a TRO would be reasonable to cater for the traffic associated with 19 houses.

Regarding the construction phase, it is agreed that accessing the site through the existing housing estate would not be ideal and that, if feasible, a separate Haul Road either across the adjacent field or along the route of the proposed cycleway/footway would be beneficial.

If an appropriate width is achievable and the lorries access the site along the cycleway/footway it would have to be constructed to a suitable standard prior to commencement and then removed and the cycleway/footway constructed immediately the lorries are no longer accessing the development site; some form of enforceable condition would be required to secure the conversion from haul route to cycleway/footway.

A construction management plan would also have to include robust information re on-site wheel washing facilities, road sweeping regimes, and the duties of the banksman.

ECC Schools Service

Update to be provided at meeting.

Environmental Health & Protection

In order to minimise potential nuisance to nearby existing residents caused by construction works, Pollution and Environmental Control ask that the following below are conditioned;

Prior to the commencement of any site clearance, demolition or construction works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from the Pollution and Environmental Control. The method statement (Demolition/Construction Management Plan) should include the following;

- Noise Control

- 1) The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.
- 2) No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.
- 3) The selection and use of machinery to operate on site, and working practices to be adopted will as a minimum requirement, be compliant with the standards laid out in British Standard 5228:2014.
- 4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
- 5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in

- writing with the Local Planning Authority (in consultation with Pollution and Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.
- 6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.
- Emission Control
 - 1) 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 prior to the commencement of any development of the site and shall be maintained in the approved form until the development is completed and ready to be signed off as complete for the permitted purpose
 - 2) All waste arising from the ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.
 - 3) No materials produced as a result of the site development or clearance shall be burned on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.
 - 4) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.
 - Dust Control
 - 1) Dust suppression methods to be employed during construction so as to minimize likelihood of nuisance being caused to neighbouring properties. A scheme of measures for the control and suppression of dust emissions shall be submitted.
 - Lighting Control
 - 1) Any lighting of the site under development shall be located, designed and directed [or screened] so that it does not cause avoidable intrusion to adjacent residential properties/ constitute a traffic hazard/cause unnecessary light pollution outside the site boundary. "Avoidable intrusion" means contrary to the Code of Practice for the Reduction of Light Pollution issued by the Institute of Lighting Professionals.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

**Arch. Liaison Off, Essex
Police**

Essex Police have commented in respect of the potential for Designing Out Crime in pursuance of the guidance offered within Sections 58 & 69 of the National Planning Policy Framework

(NPPF). Insufficient detail has been submitted at this stage in respect of matters including lighting and the boundary treatment of individual properties. Informative to be attached advising the developer to seek the detailed advice from Essex Police in order to achieve 'Secured by Design' status.

ECC SuDS Consultee

Essex County Council SUDS team has reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, and has issued a holding objection to the granting of planning permission based on an Inadequate Surface Water Drainage Strategy.

In line with the discharge hierarchy, infiltration should be proposed in the first instance. In line with the comments set out in the pre app response sent on 30th January 2017, we generally expect infiltration to be considered where rates are greater than 1×10^{-6} , unless it is demonstrated with good reason that it is not viable. The infiltration rates included in the Flood Risk Assessment are considered to indicate infiltration may be possible on site.

Tree & Landscape Officer

The site is currently in agricultural use and has no trees or other vegetation in the main body of the land. There are a number of important trees situated on the boundary of the application site. The applicant has submitted a Tree Survey and Report that has been carried out in accordance with BS5837: 2012 Trees in relation to design, demolition and construction. The main purpose of the tree survey is to establish the extent of the constraint that the trees are on the development potential of the land. A site layout shows the positions of the Root Protection Areas (RPA's) of the trees and the positions of the proposed dwellings. It shows the areas of conflict between trees and development. These are not considered to be significant obstruction to the development of the land.

In section 5 of the Arboricultural Method Statement (AMS) forming part of the Arboricultural Impact Assessment (AIA) reference is made to the Tree Protection Plan (TPP) Ref: PRI21550-03 attached as Appendix 1 which is to be read in conjunction with the AMS. This document has not been attached and is required prior to the determination of the application.

The site layout shows indicative soft landscaping proposals. If planning permission is likely to be granted then a detailed soft landscaping scheme should be secured by a planning condition.

UU Housing Consultation

30% Affordable Housing agreed

UU - Open Space Consultation

Contribution required in respect of play-space provision.

5. Representations

5.1 Seventeen letters of have been received from the local community raising concerns which can be summarised as follows:

- Site access is next to a children's play area – what precautions are to be taken in respect of delivery vehicles?

- Tokely Road is too narrow and is unsuitable for construction access and heavy construction traffic will damage Tokely Road;
- Additional vehicles will result in traffic congestion and visibility issues as a result of blind bends and parked cars within Tokely Road and will be detrimental to road safety;
- Access should be from Bromley Road;
- Drainage issues with storm water and AWA foul water pumping station in Bromley Road will be compounded;
- Inadequate amount of existing shops and amenities; and schools and doctor's surgeries oversubscribed and struggle to cope with existing demand;
- A survey carried out by the Rural Community Council of Essex (RCCE) 2010 found that there was no requirement for affordable/social housing in the parish;
- Unreliable and sparse public transport;
- Very few employment opportunities in Frating – the development would encourage more car journeys to work;
- Visual impact on character of the area;
- Construction will need to be properly managed with wheel wash and other facilities and proper supervision; and
- Overlooking of houses lining Bromley Road, exacerbated by maisonette style development and lack of screening along boundary, while property along the southern boundary would be too close to existing estate - development should be moved further from existing property.

5.2 One letter of support has been received which can be summarised as follows:

- Would provide an opportunity to rejuvenate the village;
- Increase in population would stimulate local infrastructure, public transport and amenities; and
- Provision of affordable housing is a social responsibility.

5.3 An objection has been received from Frating Parish Council which can be summarised as follows:

5.4 The Parish Council objected to the previous application for 49 houses which was allowed at appeal and are still of the opinion that the current proposal is even less sustainable and represents overdevelopment. Facilities and employment opportunities within Frating are limited and although there is a bus service between Frating and Colchester 98% of journeys would be made by car.

5.5 Of greatest concern is the number of vehicles that would need to use Tokely Road, to access the development (2 cars x 68 hoses = 136 additional movements) and effectively a doubling of current levels, with the primary concern being the safety of children particularly due to a sharp bend in the road.

5.6 In respect of sewerage, the system is old, was extensively repaired in 2012 and cannot cope with volumes at peak times. An additional 68 properties will cause further failure with sewage flooding into properties in Bromley Road. There is also concern that soakaways for surface water drainage will add substantially to the existing surface water system.

5.7 In respect of residential amenity, there is concern that the proposed new dwellings to the west of the site will be much nearer to existing houses fronting Bromley Road and would be two storey resulting in loss of privacy to the existing houses.

5.8 In the event of permission being granted, the Parish Council has requested imposition of conditions in respect of:

- Traffic calming measures on Tokely Road to include: 20mph speed limit, and rumble strips;
- Construction vehicles to park only on the application site and not within Tokely Road;
- Wheel wash facility to be provided;
- Construction noise to be controlled; and
- Construction hours of operation to be limited.

6. **Assessment**

Site and Surroundings

- 6.1 The application site comprises an agricultural field measuring approximately 2.76 hectares in area.
- 6.2 The site is enclosed by the rear gardens of predominantly single storey residential properties fronting Bromley Road to the west, and to the south by a children's playground and the rear gardens of predominantly two-storey residential property fronting Tokely Road, which in turn forms part of a residential estate that opens onto Main Road A133. Commercial premises are located to the east of the site, while open farmland adjoins to the north.
- 6.3 In accordance with the Adopted Local Plan 2007, the site lies outside of the settlement boundary of Frating. However in accordance with Policy SPL2 'Settlement Development Boundaries' of the emerging Local Plan, the settlement boundary has been extended to incorporate the site.
- 6.4 The site benefits from an extant outline planning consent Ref: 14/01371/OUT allowed at Appeal on 15th February 2016 for 'Residential development comprising up to 49 dwellings (including up to 40% affordable housing), open space and vehicular access from Tokely Road'.

The Principle of Development

- 6.5 The principle of residential development outside of the development boundary and including the loss of agricultural land was established by grant of permission 14/01371/OUT for the site. At the time, the Council acknowledged that although there were limited facilities in the village and most journeys would be car derived, overall Frating is a sustainable location for residential development as it benefits from good accessibility, being located on the Colchester to Clacton bus corridor, and within some 30minutes travelling of each major centre with access to job opportunities, and travel for education, shopping, leisure and services. In accordance with Policy SPL1 of the emerging Local Plan Frating is identified as a Smaller Rural Settlement. Elmstead Market and Great Bentley, both identified as Rural Service Centres, are significantly closer and provide essential day to day shopping and services. Furthermore, a large Employment Area has been allocated within Frating in the Local Plan, which in turn would provide potential, albeit specialized, job opportunities.

Proposal

- 6.6 Full planning permission is sought for the erection of 67 dwellings. This is an amended description following deletion of one house in the south west corner of the site which officers contended would have given rise to an unsatisfactory spatial environment. The scheme would also provide public open space that would be linked to the existing playground abutting the site together with boundary buffer zones. Vehicular access would be taken from an existing 'hammerhead' on Tokely Road, with an existing access from

Bramley Road dedicated for shared pedestrian and cycle use. The scheme as amended would comprise:

Dwellings

- 2 detached 2 bedroom bungalows
- 8 pairs semi-detached (16 total) 2 bedroom 2-storey houses
- 15 pairs semi-detached (30 total) 3 bedroom 2-storey houses
- 1 pair semi-detached (2 total) 4 bedroom 2-storey houses
- 2 detached 3 bedroom 2-storey houses
- 7 detached 4 bedroom 2-storey houses
- 1 block (4 units) 1 bedroom 2 storey maisonettes
- 1 block (4 units) 2 bedroom 2-storey maisonettes

Open Space

- 11% site area Village Green (Extension to existing children’s play area/community sports field) and Public Space
- 8% site area Perimeter Buffer Zones

Affordable Housing

21 Affordable units would be provided representing 30% of the total development, with 15 units affordable rented and 6 units being shared ownership. The accommodation would be as follows:

<u>Tenure</u>	<u>Unit</u>	<u>No. of units</u>	<u>Rooms</u>
Affordable Rent	Flat	4	2 bed
Affordable Rent	Flat	4	1 bed
Affordable Rent	House	7	2 bed
Shared Ownership Sale	House	6	2 bed
Shared Ownership Sale	Bungalow	2	1 bed
Shared Ownership Sale	Bungalow	1	2 bed

6.7 The application is supported by the following documents:

- Transport Assessment
- Flood Risk Assessment
- Affordable Housing Statement
- Arboricultural Impact Assessment
- Tree Report
- Updated Ecological Assessment
- Design and Access Statement

Considerations

6.8 The main planning considerations are:

6.9 Whether the proposed intensification of development having regard to the previously approved scheme for 49 residential units would represent sustainable development having particular regard to:

- Design and layout
- Landscaping
- Drainage and flooding
- Impact on the highway network
- Residential Amenity
- Planning Contributions/Affordable Housing

Design and Layout

- 6.10 In comparison to the approved outline application, this proposal for full planning permission would retain much of the open space land previously approved, amounting to 11% of the site. While there would be some erosion of the public space adjoining farmland to the north, the Village Green, linking to existing open space play areas, would be retained and a dedicated landscape buffer space amounting to 8% of the site would be provided along the southern, eastern and western boundaries where the site adjoins existing development and along much of the northern boundary adjoining farmland. The buffer zone would be omitted only for a small section of the western boundary as this is not so crucial where low rise (bungalow) development has been proposed.
- 6.11 In general terms, density increase would occur within the original envelope of development, as a result of reduction in plot size and the inclusion of a number of maisonettes. The resulting density representing 25dph would be more in accordance with that of existing residential development throughout Tokely Road.
- 6.12 The functional needs of development including waste storage, cycle storage, ease of servicing and circulation and access for people with mobility impairments would be met. Within individual plots, garden space would be policy compliant, while the orientation of the dwellings would not lead to loss of residential amenity as might arise through over-bearance, overshadowing or overlooking. A variety of house types would be provided.
- 6.13 Parking would be provided within the curtilage of each site except in the case of the proposed maisonettes and a small number of dwellinghouses, where forecourt parking would be provided and all dwellings would be accessible in respect of refuse collection and emergency service vehicles.
- 6.14 The requirements of Local Plan Policy QL10 'Designing New Development to meet Functional Needs' and Emerging Plan Policy LP4 'Housing Layout', would be satisfied.

Landscaping

- 6.15 Given that the site would be enclosed on three sides by existing development and views into the site would be limited, there would be no harm to the wider landscape. There are no issues in respect of trees within adjoining curtilages and no trees have been identified for protection within the site. This was established in the context of 14/01371/OUT.
- 6.16 Landscaping within the buffer zones and within public open space, together with proposed street trees and trees within parking courts would be subject to condition requiring details to be submitted, approved and the approved scheme to be implemented and retained. Overall, 19% of the site would be dedicated as open space and as landscaped buffer zones. The amount of land that would be dedicated for open space would be in excess of that required by policy and would satisfy the environmental dimension of sustainable development.

Drainage and Flooding

- 6.17 Essex County Council SUDS as Lead Flood Authority initially issued a holding objection pending submission of details that would allow consideration of the discharge hierarchy stating:

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we wish to issue a holding objection to the

granting of planning permission based on an inadequate Surface Water Drainage Strategy.

The Drainage Strategy submitted with this application does not comply with the requirements set out Essex County Council's Full Drainage Checklist. Therefore the submitted drainage strategy does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted strategy fails to fully consider the discharge hierarchy.

In line with the discharge hierarchy, infiltration should be proposed in the first instance. In line with the comments set out in the pre app response sent on 30th January 2017, we generally expect infiltration to be considered where rates are greater than 1×10^{-6} , unless it is demonstrated with good reason that it is not viable. The infiltration rates included in the Flood Risk Assessment are considered to indicate infiltration may be possible on site.

- 6.18 By way of response, the applicant has submitted an addendum to their Drainage Strategy. At the time of Report preparation, a further consultation response from the SUDS team is awaited. An update will be provided to committee and In the absence of any formal response, imposition of a condition is recommended requiring submission of a full Drainage Strategy.

Impact on the Highway Network

- 6.19 The Highway Authority has determined that the impact of development on the surrounding highway network would be acceptable.
- 6.20 In response to issues raised by residents, Essex County Council has determined that in accordance with NPPF guidance, the additional 18 units hereby proposed, would be insufficient to warrant traffic calming measures in Tokely Road.
- 6.21 Although the feasibility of utilising alternative access arrangements during the construction phase has been explored, it has not been possible to establish any alternative to that proposed. A robust Construction Management Plan would therefore be needed to ensure that the impact upon Tokely Road residents during the construction phase would be minimal. This would be achieved by condition that would secure such matters as wheel wash facilities on site, debris on roads, air and noise pollution, hours of operation, construction workers vehicle parking and construction traffic protocols.

Amenity

- 6.22 In respect of the impact of development on the occupants of neighbouring property, the rear elevations of the proposed dwellinghouses on the western edge of the development are arranged so as to be no closer than 13m from the common boundary with property bordering Bromley Road, which in turn benefit from long rear gardens. Separation between rear elevations would in this case be in excess of 26m, which would be sufficient to avoid serious overlooking. Although two dwellings in the south west corner of the site would be erected much closer than this to the western boundary, these would be bungalows where floor levels would be low and boundary screen fencing sufficient to defeat overlooking. On the southern boundary, the proposed two storey housing, although between 9.5m to 10.5m from the common boundary, lies 'flank-on', with fenestration limited to non-habitable rooms that would be conditioned for obscure glazing. This separation distance would incorporate part of the 6m deep perimeter buffer. Consequently the spatial relationship between existing dwellings and those proposed would be satisfactory. It can be concluded that sufficient consideration has been given to protect the neighbouring residential environment.

- 6.23 The orientation of dwellings within the site and their layout, design and relationship with adjoining property, would ensure that a satisfactory residential environment would be provided without loss of amenity to future residents in compliance with policy requirements.

Planning Contributions

- 6.24 Contributions to be secured by S106 Legal Agreement are required in respect of affordable housing, public open space (and maintenance), and children's play space.

Other Matters

- 6.25 Concern has been expressed by the Parish Council and by residents that the proposal would represent overdevelopment of the site that would overburden existing infrastructure, particularly drainage and sewerage systems, and result in road safety issues within Tokely Road and as such would represent unsustainable development. Residents within Bromley Road have also expressed concerns that the development would be much nearer than originally approved and would result in loss of privacy.
- 6.26 All such matters have been addressed within the body of this report and officers are satisfied that where necessary concerns can be mitigated and that refusal of permission on the aforementioned grounds would be unsustainable.

Background Papers

None.

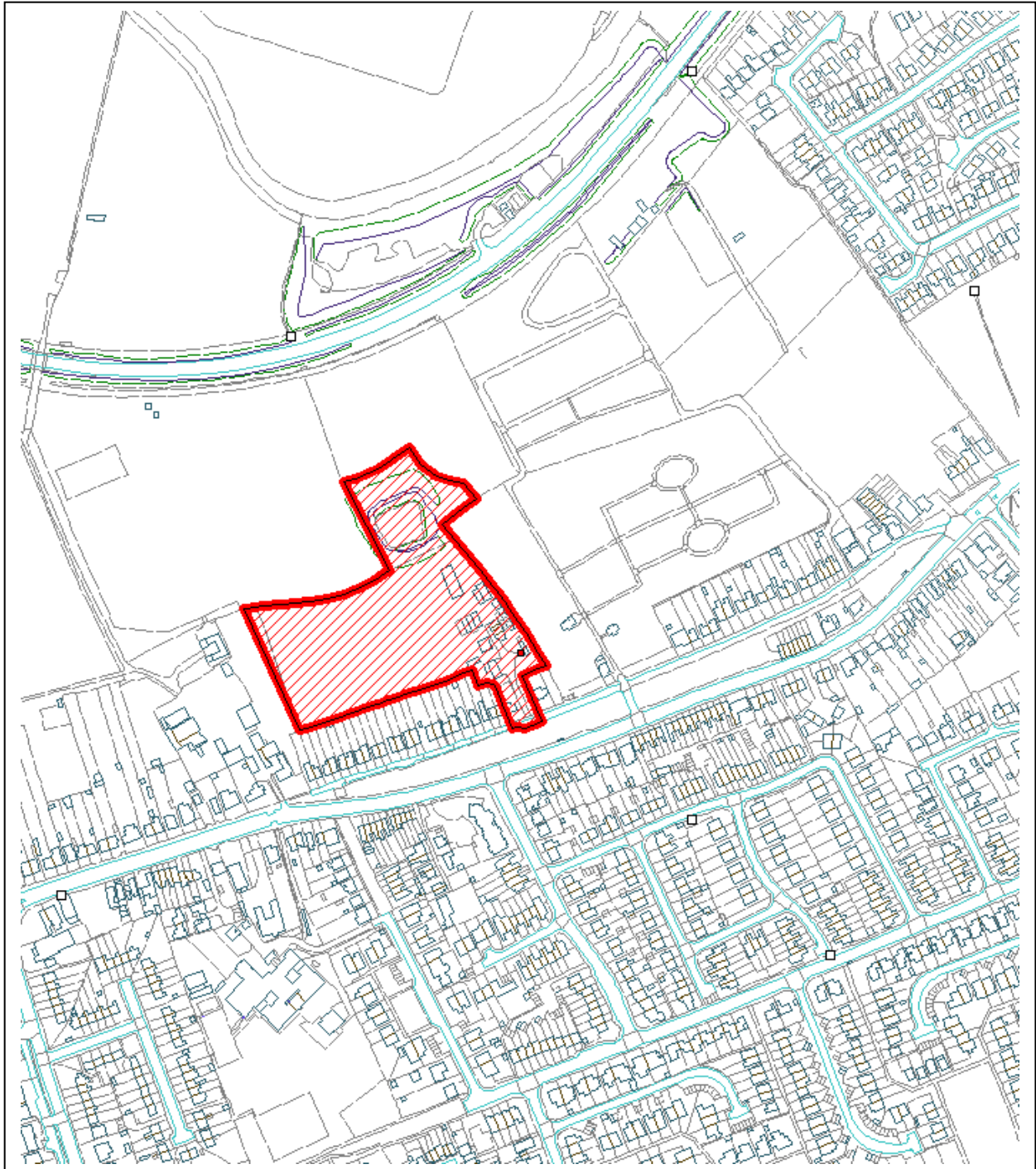
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PLANNING COMMITTEE

26th June 2018

REPORT OF THE HEAD OF PLANNING

A.2 PLANNING APPLICATION - 17/01909/OUT - GREENFIELD FARM, MAIN ROAD HARWICH, CO12 4LT



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Application:	17/01909/OUT	Town / Parish: Harwich Town Council
Applicant:	Heyhill Land and Ann Luxford	
Address:	Greenfield Farm, Main Road, Harwich, CO12 4LT	
Development:	Proposed erection of 42 dwellings with associated access arrangements.	

1. Executive Summary

- 1.1 This application is before the planning committee as it represents a departure from the Adopted Tendring District Local Plan 2007.
- 1.2 The application is for the construction of 42 dwellings and is in outline form with all matters apart from the access reserved for later consideration.
- 1.3 The site lies outside the defined settlement development boundary of the saved Local Plan but has been included within the settlement development boundary (and forms part of a specific Housing Allocation – Policy SAH1) within the Publication Draft Local Plan – June 2017.
- 1.4 Due to a lack of objection to the changes to the settlement development boundary and the allocation of the land for housing purposes within the Publication Draft Local Plan, appreciable weight can be attributed to that Draft Policy.
- 1.5 The development is acceptable ‘in principle’ being in accordance with the emerging Local Plan, and a sustainable location adjoining a strategic urban settlement.
- 1.6 Subject to the applicant entering in to a Section 106 agreement to cover the provision of affordable housing, infrastructure/services contributions, the proposal is considered to be acceptable with no material harm to visual or residential amenity, or highway safety, and the application is therefore recommended for approval.

Recommendation: Approve

That the Head of Planning (or equivalent authorised officer) be authorised to grant 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 (where required):

- Affordable housing;
- Health;
- Education;
- Public Open Space;
- Highways Fund – Traffic Regulation Order; and
- Open Space – Maintenance Responsibilities.

b) Planning conditions in accordance with those set out 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).

Conditions:

1. Reserved Matters (Appearance, Landscaping, Layout, Scale)
2. Standard 3 year time limit for submission of reserved matters application.
3. Standard 2 year limit for commencement of development following approval of reserved matters.
4. Local recruitment strategy
5. Provision of broadband
6. Contamination Report
7. Foul Water Strategy
8. Turning/Parking Areas Prior to first occupation
9. No unbound materials in first 6m of any access
10. Access to be in accordance with submitted plans
11. Porous driveways
12. Residential travel pack
13. Ecological mitigation plan including details of receptor site
14. Ecological enhancement plan
15. Full details of the sustainable drainage system.
16. Maintenance details of sustainable drainage system
17. Submission of yearly maintenance logs for sustainable drainage system
18. A construction method statements including but not limited to:
 - Routing of delivery vehicles and measures to control noise,
 - Details of construction parking vehicles/materials storage/wheel washing facilities
 - Air pollution and avoiding discharges to watercourses/ditches.
 - Hours of construction.

c) That the Head of Planning (or the equivalent authorised officer) be authorised to refuse 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.

2. **Planning Policy**

National Policy

The National Planning Policy Framework

National Planning Policy Guidance

Local Plan Policy

Tendring District Local Plan (2007)

QL1 Spatial Strategy

QL2 Promoting Transport Choice

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

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG3A Mixed Communities

HG4 Affordable Housing in New Developments

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

COM1 Access for All

COM6 Provision of Recreational Open Space for New Residential Development

COM24 Health Care Provision

EN1 Landscape Character

EN6 Biodiversity

EN6A Protected Species

EN6B Habitat Creation

EN11A Protection of International Sites European Sites and RAMSAR Sites

EN11B Protection of National Sites SSSI's, National Nature Reserves, Nature Conservation Review Sites, Geological Conservation Review Sites

TR1A Development Affecting Highways

TR2 Travel Plans

TR3A Provision for Walking

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SP1 Presumption in Favour of Sustainable Development

SP2 Spatial Strategy for North Essex

SP3 Meeting Housing Needs

- SP6 Place Shaping Principles
- SPL1 Managing Growth
- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- HP1 Improving Health and Wellbeing
- HP2 Community Facilities
- HP3 Green Infrastructure
- HP5 Open Space, Sports & Recreation Facilities
- LP1 Housing Supply
- LP2 Housing Choice
- LP3 Housing Density and Standards
- LP4 Housing Layout
- LP5 Affordable and Council Housing
- PPL1 Development and Flood Risk
- PPL3 The Rural Landscape
- PPL4 Biodiversity and Geodiversity
- PPL5 Water Conservation, Drainage and Sewerage
- CP1 Sustainable Transport and Accessibility
- CP2 Improving the Transport Network

Supplementary Planning Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

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. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in

the determination of planning applications. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

3. Relevant Planning History

00/00726/OUT	Residential development	Refused	12.07.2000
17/01909/OUT	Proposed erection of 42 dwellings with associated access arrangements.	Current	

4. Consultations

Building Control and Access Officer

No adverse comments at this time.

Environmental Protection

Should the above application be approved, Pollution & Environmental Control would recommend that the following informatives / conditions are attached to the decision notice:

Contaminated Land

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 begin 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 (particularly water pipes) and structures on the site as appropriate.

Construction and demolition noise/dust/light

Site Clearance, Demolition & Construction In order to minimise potential nuisance to nearby existing residents caused by construction and demolition works, Pollution and Environmental Control ask that the following is conditioned;

Prior to the commencement of any site clearance, demolition or construction works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from, the Pollution and Environmental Control.

Noise Control

1) The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this

capacity.

2) No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Friday. 0800-1300 on Saturdays with no working of any kind permitted on Sundays or any Public/Bank Holidays.

3) The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228:1984.

4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).

5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Pollution and Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.

6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

Emission Control

1) A scheme of measures for the control and suppression of dust emissions shall be submitted to and approved in writing by the L.P.A. Such agreed works shall be implemented in the approved form prior to the commencement of any development of the site and shall be maintained in the approved form until the development is completed and ready to be signed off as complete for the permitted purpose

2) All waste arising from the demolition process, ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.

3) No materials produced as a result of the site development or clearance shall be burned on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress. 3) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Lighting control

1) Any lighting of the site under development shall be located, designed and directed [or screened] so that it does not cause avoidable intrusion to adjacent residential properties/ constitute a traffic hazard/cause unnecessary light pollution outside the site boundary. "Avoidable intrusion" means contrary to the Code of

Practice for the Reduction of Light Pollution issued by the Institute of Lighting Professionals.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

Regeneration

The Regeneration Team have no specific comments to make on the application.

Waste Management

No comments.

Tree & Landscape Officer

Original Comments – 23/11/2017

In order to show the potential impact of the development proposal on the existing trees and other vegetation on the application site the applicant has provided an indicative site layout plan and a detailed Tree Report and Survey. The tree report is in accordance with BS5837: 2012 Trees in relation to design, demolition and construction: Recommendations.

The report contains an accurate description of the health and condition of the trees on the land. It identifies those trees that would need to be removed in order to facilitate the development proposal and those that are to be retained.

None of the trees identified for removal make such a contribution to the amenity of the locality that they merit protection by means of a Tree Preservation Order. The most prominent tree T5 ' White Willow is a large and impressive specimen that is approaching the veteran stage. It would merit formal legal protection but for the extensive decay in the main stem revealed by an inspection of the tree made during site visit to the application site.

During the site visit it was noted that the Hybrid Black Poplar contained in G2 were close to the boundary with the adjacent cemetery ' one seemed to be within the grounds of the cemetery. This land is owned by Tendring District Council.

The proposed development as shown on the drawing entitled 'Illustrative Masterplan' shows two major areas of concern regarding the relationship between the built development and the retained trees. These are the areas close to G2, on the eastern boundary and close to trees T14, 15 and 16 on the northern boundary - where there is a significant incursion into the Root Protection Areas of the retained trees. The layout should be altered to increase the separation distance and to improve the relationship between new buildings and trees.

In terms of the impact of the development proposal on the local landscape character it should be noted that views of the site from external locations are somewhat limited. The application site can

potentially be seen from the open countryside to the north where views would be from some distance to the north of the A120. In this respect the change to the appearance of the area will be somewhat lessened.

The density of the development is such that new soft landscaping opportunities are limited. Consideration should be given to decreasing the development density to facilitate a higher level of soft landscaping both within the main body of the application site and on its boundaries with an emphasis on planting on the northern boundary to help screen the development.

With regard to the proposed alteration to the access to the site from the main road, namely the creation of a new mini-roundabout, it is not clear what the impact the highway engineering works will have on the trees and the Green itself, in this area. It appears that land on which the site splays are shown is not under the control of the applicant and contains at least one tree and other amenity planting

Should planning permission be likely to be granted then details of soft landscaping should be secured as a reserved matter.

Additional Comments – 30/05/2018

Notwithstanding previous comments; the amended 'Illustrative Masterplan' goes some way to addressing the two areas of concern regarding the relationship between the built development and the retained trees on the superseded 'Illustrative Masterplan'. These were in the area close to G2, on the eastern boundary and close to trees T14, 15 and 16 on the northern boundary.

The amended proposed site layout shows a significant improvement in this regard showing only a minor incursion into RPA's.

It is however important to recognise that the application is 'outline form' and that the developer will not necessarily be tied to the proposed layout. The layout does however demonstrate that the development of the land is possible without causing harm to retained trees.

Anglian Water Services Ltd

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.

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval;

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason - To prevent environmental and amenity problems arising from flooding.

Original Comments – 6/12/2018

This Authority has assessed the highway and transportation impact of the proposal and does not wish to raise an objection subject to the following:

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

The following items shall be provided prior to occupation of any residential units;

- All the vehicular turning and parking facilities shall accord with current policy standards including position of garages, space dimensions, and garage dimensions.
- No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 5.5 metres and shall provide 2x 2m footways.
- The internal layout shall be arranged in agreement with this Authority where it is intended to offer it for adoption.
- A suitable contribution shall be deposited with this Authority to cover the implementation of a future parking restriction along the access route in the event that access efficiency problems occur.
- There shall be no discharge of surface water onto the highway.
- A 500mm wide overhang strip shall be provided adjacent to the carriageway
- Residential Travel Information Packs shall be provided for all new dwellings

NOTE: Whilst this proposal is acceptable to the Highway Authority, due to the limitations of the access route and the controls placed on expansion by the village green, any future expansion should be accessed via a new junction onto the A120.

Additional Comments – 29/01/2018

We have concluded that having regard to the current size of development (42 units), and the parking conflict/lack of deflection we

would not be requiring the mini roundabout work on Main Road to be undertaken; retaining it as a priority junction will suffice.

ECC SuDS Consultee

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following:

Condition 1

No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority.

Condition 2

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Condition 3

No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Condition 4

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Essex Wildlife Trust

We have reviewed the Ecological Impact Assessment provided by The Landscape Partnership and can confirm that the proposed mitigation is acceptable and conforms to CIEEM guidelines and the guidelines in the Dormouse Conservation Handbook (Second Ed.) 2006.

We would ask that the proposed mitigation and the recommended ecological enhancements are conditioned as part of approval to ensure delivery. An Ecological Mitigation Plan should be provided by the developer prior to the commencement of any works on the site.

Natural England

Statutory Sites

Holding Objection - As identified in your emerging Local Plan Habitats Regulations Assessment (HRA), there are currently concerns for the impacts of increased recreational pressure to the Stour Estuary and Hamford Water as a result of increased use by residents of new development within walking or driving distance of it.

Natural England considers that mitigation of such impacts usually requires more than one type of approach, typically involving a

combination of 'on-site' informal open space provision and promotion (i.e. in and around the development site) and 'off-site' visitor access management measures (i.e. at the designated site(s) likely to be affected).

Seeing as the proposal site is both allocated in your emerging Local Plan (Policy SAH1) and within the likely 'zone of influence' for recreational disturbance impacts to the Stour Estuary and Hamford Water (as identified in your Local Plan HRA), we advise that it would be appropriate to agree a suitable financial contribution from this development towards strategic 'off site' measures.

Impact on Protected Species

No comments/objections

Housing Department

Based on our original conversation with the land agent we are satisfied with one gifted, three bedroomed bungalow on the site as the affordable provision. This is a type of property that we are acutely short of in our stock generally and particularly in this area.

Public Open Space Consultation

Due to the overall deficit in both Open Space and Play Areas in Harwich and Dovercourt it is felt that a contribution is justified and relevant to the planning application. The contribution would be used at Dovercourt Pool Play Area.

ECC – Education

Early Years and Childcare

The proposed development is located within the Harwich/Dovercourt Area. According to Essex County Council's childcare sufficiency data, published in the summer 2017 term, there are 2 providers of early years and childcare in the area. 1 is primary school nursery and the other is 1 childminder. Overall a total of 2 unfilled places were recorded. For Essex County Council to meet its statutory duties it must both facilitate sufficient places to meet free childcare entitlement demand and also ensure a diverse range of provision so that different needs can be met. Although there is some EY&C capacity in the area, the data shows insufficient places to meet demand from this proposal. It is, thereby, clear that additional provisions will be needed and a project to expand current provision is proposed. An additional 4.4 places would be provided at an estimated total cost of £64,029 at April 2017 prices. This equates to £14,519 per place and so, based on demand generated by this proposal set out above, a developer contribution of £64,029 index linked to April 2017, is sought to mitigate its impact on local EY&C provision.

Primary Education

This development sits within the priority admissions area of Chase Lane Primary School, which can accommodate up 420 pupils. The School is at or close to capacity in all year groups and, according to Essex County Council's latest forecasts', it will require nine additional spaces by the academic year commencing 2021. Looking at the Harwich area as a whole (Tendring primary group 5), by this point, 42 additional spaces will be needed. This development would add to that need and, thereby, the scope of projects to provide additional school

places is directly related to the proposal. An additional 14.7 places would be provided at an estimated total cost of £187,190 at April 2017 prices. This equates to £12,734 per place and so, based on demand generated by this proposal set out above, a developer contribution £187,190 index linked to April 2017, is sought to mitigate its impact on local primary provision.

Secondary Education

There is sufficient capacity at secondary level to accommodate the additional pupils' that this development is likely to generate.

Having reviewed the proximity of the site to the nearest primary and secondary schools, Essex County Council will not be seeking a school transport contribution, however the developer should ensure that safe direct walking and cycling routes to local schools are available.

NHS East Essex

In its capacity as the primary healthcare commissioner, NHS England has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

A developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be £14,983. Payment should be made before the development commences.

The capital required through developer contribution would form a proportion of the required funding for the provision of capacity at Mayflower Medical Centre to absorb the patient growth generated by this development.

Assuming the above is considered in conjunction with the current application process, NHS England would not wish to raise an objection to the proposed development. Otherwise the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

NHS England is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

5. Representations

5.1 Harwich Town Council objects on the ground of congestion as the proposed development site is next to another future development. Furthermore, Harwich Town Council is concerned that the proposed access/egress arrangements will not only create a safety issue as it's near to a primary school, but will also result in a loss of open green space to and loss of existing on-street parking for residents close to the proposed new roundabout. Harwich Town Council's preference would be that vehicular access is via the A120 bypass, rather than through an already congested Main Road.

5.2 11 representations have been made by local residents which can be summarised below:

- Restricted and narrow access between Main Road and The Green;

- Development will place extra pressure on existing health services;
- There are not sufficient local jobs to sustain the development;
- No full time manned police station in town;
- Access concerns in respect of emergency services;
- Loss of view;
- Noise concerns and loss of privacy to rear garden;
- Adverse impact upon wildlife and mitigation measures proposed are not sufficient;
- Danger to pedestrians utilising existing pavement;
- Potential yellow lines on The Green will restrict parking for funeral attendees;
- Damage to existing trees in vicinity of access;
- Noise, mud, fumes and vibration caused during construction phase; and
- Potential encroachment onto protected village green.

6. Assessment

The main planning considerations are:

- Site Context
- Development Proposal
- Principle of Development
- Design/Layout
- Landscape Impact/Tree Considerations
- Residential Amenity
- Heritage Assets
- Highway Safety
- Impact on Protected Species/Wildlife
- Flooding/Drainage
- Legal Obligations

Site Context

- 6.1 The site lies on the northern edge of Dovercourt adjacent to the current settlement boundary in the saved Tendring District Local Plan (2007) and within the settlement boundary as part of a housing allocation in the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017). The site comprises a field, which parallels the urban edge, and extends into the southwest corner of a second field, which runs down to the A120 bypass. It is currently unused, and overgrown, although there is evidence of previous agricultural/horticultural use in the form of a number of semi-derelict buildings located along its eastern boundary and an irrigation pond. Boundaries largely comprise hedgerows with trees and fences (where adjacent to residential properties).
- 6.2 The site has a 10m frontage to The Green which accommodates a dwelling proposed to be demolished to make way for the access to the proposed development. To the east of the dwelling is an existing access to the remainder of the application site to the north. To the west fronting onto The Green is a mixture of detached and semi-detached dwellings and to the east are two detached properties and the grounds of a cemetery situated beyond. The Green runs alongside a greensward with village green status, which is held and managed by Tendring District Council. Main Road runs along the southern side of the greensward. To the west of the main developable part of the site is an area of land with planning permission for a mixed use development comprising of housing and commercial development.

Development Proposal

- 6.3 This is an outline application with all matters reserved, apart from the access point from The Green, for the construction of 42 dwellings. The existing Greenfields Farm house and outbuildings will be demolished to make way for the access.
- 6.4 In respect of the proposed access point, The Green will be 'diverted' into the site at the site existing entrance and become the through route. That part of The Green, which lies to the west of the site frontage, will become a cul-de-sac accessed via a priority junction. This arrangement is proposed to prioritise the main traffic movements. The junction leading to The Green from Main Road remains unaltered.
- 6.5 An indicative layout plan has been provided which shows that the majority of the new dwellings will be located around two cul-de-sacs that run east to west across the site. They primarily comprise 2 and 3 bed terraced houses and 3 and 4 bed detached houses and bungalows. The layout provides amenity space around the existing pond, which will also be utilised as part of the SUDS strategy. The layout also proposes a single four bedroom house to the north of the pond, in the southwest corner of the adjacent field. The land to the north of single property, which is not within the application site but in the ownership of the applicant, is to accommodate a second SUDS attenuation basin to the south of the A120 and a newly created wildlife habitat as a mitigation measure against the habitat lost to make way for the development.
- 6.6 Whilst only in outline form the submitted supporting statements confirm that the range of existing trees and hedges on the site will be protected and maintained, where possible. The statement also confirms that additional trees, hedges and other small scale shrubbery will be planted in order to maintain similar characteristics as existing greenery, surrounding the site.
- 6.7 The application includes detailed reports including:
- Extended Phase 1 Habitat Survey & Associated Species Specific Surveys
 - Drainage Strategy/Flood Risk Assessment
 - Landscape and Visual Impact Assessment
 - Environmental Noise Impact Assessment
 - Tree Survey
 - Planning Design and Access Statement
 - Transport Assessment

Principle of Development

- 6.8 Whilst the site is located outside the settlement development boundary (SDB) of the saved Tendring District Local Plan (2007) and within the Coastal Protection Belt and Green Gap, it has been included within the settlement development boundary (and outside of the Coastal Protection Belt and Green Gap) within the Emerging Local Plan, and it forms the southern part of a specific housing allocation outlined within emerging policy SAH1.
- 6.9 Emerging policy SAH1 states that the whole housing allocation is expected to provide at least 164 homes with the principle vehicular access provided from Main Road to the south. This application proposes 42 dwellings within only the southern section of the housing allocation. Essex County Council Highways have confirmed, via their comments for this application that any development proposals for the rest of the housing allocation will need to be accessed via the A120 to the north.
- 6.10 The site has been included as an allocation within successive drafts of the Emerging Local Plan which is now at an advanced stage, and the Examination in Public has commenced.

There has been no objection to the allocation and inclusion within the settlement boundary, therefore appreciable weight can be attributed to the application in accordance with Paragraph 216 of the NPPF.

- 6.11 The allocation of the site via the Local Plan process has already established that the Council considers the site to be sustainable and that it complies with the settlement hierarchy that views the Harwich/Dovercourt settlement as one of the large urban areas for new housing based on the existing services.
- 6.12 The proposal, whilst being a technical departure from the 2007 Adopted Local Plan, is in line with the more recent evidence-base and emerging local plan policies that more accurately reflect the later guidance within the NPPF and as a result, greater weight should be attributed to the compliance with the new plan.

Design/Layout

- 6.13 Although the layout and appearance of development are reserved matters a high level of detail has been supplied within the submitted design and access statement. The statement confirms that the development will comprise of three main character areas as follows:
- Character Area 1 – Defined moderate density residential area comprising of 19 houses/bungalows set between streets and along the southern edge of the development reflecting the linear form of The Green.
 - Character Area 2 – Residential courtyard of 8 cottages of traditional Almhouse design set around a communal green space.
 - Character Area 3 – A total of 15 larger detached properties set on the northern edge of the development looking out over the valley, estuary and docks. A single house is proposed on the northern side of the existing pond.
- 6.14 The indicative house types show a variety of dwelling types accommodating a range of residential needs relating to the character areas noted above. The properties are proposed to be finished with tiled roofs with render and brick facades to accord with the vernacular of the local area.
- 6.15 The original application proposed the construction of 49 dwellings on the site. Officers raised concerns that the development would appear overly cramped as the majority of the dwellings were not served by sufficient private amenity space. Consequently, a revised scheme has been provided showing 7 less properties. As a result the indicative layout for 42 dwellings is now considered to adequately demonstrate that the site can accommodate a development of this scale whilst representing an appropriate response to the pattern of development in the locality. The submitted plans also show that each property would be served by a private amenity space commensurate with the requirements of saved policy HG9, which governs garden sizes. Furthermore, areas of open space within the site are to be provided along with pockets of vegetation within the 3 character areas and at the site entrance from The Green. This will assist in enhancing views into the development from the south and improving the overall aesthetics of the scheme.

Landscape Impact/Tree Considerations

- 6.16 A Landscape Impact Assessment (LIA) has been submitted that concludes the development would not cause significant harm to the landscape character or heritage assets in the local area. The assessment states that the presence of existing development within Dovercourt, which has expanded along a ridge of higher ground, is such that the proposed development would have little influence on landscape character beyond the immediate area, or on any publicly-accessible visual receptors or residential properties.

- 6.17 In terms of the immediate vicinity of the site the assessment confirms there would be a wholesale change in character from agricultural land to a residential development, however the site itself is strongly influenced by the proximity of the urban area and the presence of unmanaged vegetation and dilapidated buildings weaken the overall character of the site.
- 6.18 As such the assessment determines there would be limited landscape and visual effects arising from the proposed development and such effects would be largely confined to the site itself.
- 6.19 The Council's Trees and Landscaping Officer concurs with the findings of the LIA by stating that: 'In terms of the impact of the development proposal on the local landscape character it should be noted that views of the site from external locations are somewhat limited. The application site can potentially be seen from the open countryside to the north where views would be from some distance to the north of the A120.'
- 6.20 In regard to the impact upon trees, the Council's Trees and Landscaping Officer originally raised concerns, when commenting on the 49 dwelling scheme, over the impact upon mature trees sited on the northern and eastern boundaries of the site. The indicative layout for the reduced 42 dwelling scheme has overcome these concerns by leaving a greater degree of separation between the proposed dwellings and the trees in question. The Council's Tree Officer has now confirmed that the revised indicative layout suitably demonstrates an acceptable relationship between the development and the trees can now be achieved. Full details of tree protected measures will be secured at reserved matters stage.
- 6.21 Additional concerns originally raised by the Tree Officer concerning the impact upon trees present on the village green area at the junction with Main Road have been allayed via the removal of the mini-roundabout that was originally proposed on the Main Road junction.

Impact upon Residential Amenity

- 6.22 The only properties that border the site are situated adjacent to the southern boundary and front The Green. These properties have long rear garden of approximately 30m, as a result the indicative layout plan shows a back to back distance from these properties to those proposed of 40m, which is comfortably in excess of the recommended distances. As such the development of the site is unlikely to cause any appreciable loss of light, privacy or outlook to existing residents.
- 6.23 In respect of the new vehicular access this would be sited in between no's. 660 and 666 Main Road. The access would be located in closer proximity to the boundary with no.666 than no.660 where a landscaped gap is indicatively proposed.
- 6.24 Given the proximity of the access to the dwellings located either side and the increase in the level of traffic a noise assessment has been provided to assess the impact of the proposed vehicle movements upon the nearest noise sensitive premises. Having ascertained current background noise levels the report concludes that on the basis of 6 vehicular movements per day per dwelling (24 hours) there is no perceivable noise impact. For reference the report adds there would need to be up to 8 vehicle movements at night (2300–0700) per dwelling (392 movements) before there would be a perceivable impact.
- 6.25 Overall the noise report confirms that the construction of a vehicular access to serve 42 dwellings, as shown on the submitted plans, would not cause undue noise and disturbance to those existing resident's living on either side of the access.
- 6.26 The Council's Environmental Protection Team has reviewed the noise assessment and has no objections to its methodology and conclusions.

Heritage Assets

- 6.27 The nearest listed building is the Grade II 'Vicarage Farmhouse' located approximately 40m to the south-west. The application site is separated from the farmhouse by a residential garden. The farmhouse is found within a predominantly urban setting with residential development to the east and west and light industrial units to the north. From publicly accessible viewpoints the site cannot be seen within the same view as the listed building. The proposals would increase the amount of built development in the vicinity of the listed building, however residential development already forms part of the landscape setting of the building, and intervisibility is limited by an existing hedge. Taking into account all of above factors, the effect on the setting of the Listed Building is considered to be minor.

Highway Safety

- 6.28 In support of the application a Transport Assessment has been submitted that concludes that:

- The development site has previously operated as a farm and a farm shop. Therefore, not only has the site historically attracted notable traffic levels it has also attracted large vehicles including articulated goods vehicles.
- During scoping discussions, Essex County Council Highways indicated that that the need for waiting restrictions on the section of The Green between the site access and the spur to Main Road should be monitored following the opening of the development and that a contribution of £5000 should be secured from the development to cover the cost of implementing waiting restrictions if they are deemed to be required.
- It is considered that the site has a good accessibility profile due to the local shops and various bus services available to access Harwich town centre, the international port and other nearby towns. Likewise the site is near to schools and leisure facilities.
- The likely levels of traffic generated by the proposed development have been calculated. During the weekday road network peak hours the development would only generate around 1 vehicle movement every 2 to 2.5 minutes, on average at the access junction. It is considered that the modest volume of development traffic would not give rise to a perceptible impact on 'The Green' or, the B1352, or indeed anywhere within the vicinity of the site.

- 6.29 Essex County Council Highways have been consulted on the application and raise no objection subject to the conditions as detailed above. All conditions recommended are reasonable and necessary in the interests of highway safety. Originally the submitted plans showed the provision of a mini-roundabout at the spur road junction with Main Road. However, following the reduction in the number dwellings proposed and concerns over a parking conflict at the Main Road junction, Essex County Council Highways have confirmed that it can remain as a priority junction.

- 6.30 Essex County Council Parking Standards state that for one bedroom dwellings 1 off-street parking space is provided and for dwellings with 2 or more bedrooms a minimum of 2 off-street parking spaces are provided. Furthermore, 0.25 spaces per dwelling should be provided for visitor parking. The submitted indicative parking strategy plan shows that each property would be served by a minimum of 2 parking spaces either through garages or open parking bays. A large number of the properties will be served by more than 2 spaces. In addition areas for visitor's parking are proposed throughout the development. Consequently, the plan adequately demonstrates that the required level of parking provision can be provided.

Impact upon Protected Species/Wildlife

- 6.31 Paragraph 118 of the NPPF requires Councils, when determining planning applications, to aim to conserve and enhance biodiversity. Where significant harm to biodiversity cannot be avoided, mitigated or, as a last resort, compensated for, Councils should refuse planning permission. Saved policies EN6 of the adopted Local Plan and emerging policy PPL4 of the emerging Local Plan give special protection to designated sites of international, national or local importance to nature conservation but for non-designated sites still require impacts on biodiversity to be considered and thereafter minimised, mitigated or compensated for.
- 6.32 Under Regulations 61 and 62 of the Habitats Regulations, local planning authorities as the 'competent authority' must have regard for any potential impact that a plan or project might have on European designated sites. The application site is not, itself, designated as site of international, national or local importance to nature conservation but the urban area of Harwich is close to the Stour Estuary which is designated as a Special Protection Area (SPA), a Ramsar Site and a Site of Special Scientific Interest (SSSI). Whilst the application site is located some distance from the Stour Estuary and there will be no direct disturbance, consideration still needs to be given to potential indirect effects on the designated area that might result from the proposed development.
- 6.33 In this case, Natural England has expressed concerns for the impacts of recreational pressures on the Stour Estuary. Natural England recommends that an off-site contribution is obtained to provide mitigation against any perceived impacts. However, the site is approximately 1500 metres south of the estuary and access to the development site is from the south of the site via the established and substantial built up area of Dovercourt. The site is also separated from the protected areas by the A120 which is a significant barrier to direct movements from the site. The proposed development of 42 new dwellings is relatively modest in the context of the existing built form of Harwich and Dovercourt. Taking these factors together, it is considered that the proposal will not lead to a significant impact on the designated areas. Furthermore, for an off-site contribution to be considered reasonable it needs to meet the relevant tests in the NPPF, i.e. it needs to be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. At the present time it is clear that Natural England are not at a stage where specific projects and amounts can be identified. Therefore it is considered that the request for a financial contribution does not meet the required tests and therefore it would be against national policy to request such a contribution.
- 6.34 In respect of the impact upon protected species, the submitted ecological survey states that based on the habitat types present, that the site has potential to support the following protected species or groups of species: Great Crested Newts, reptiles, breeding birds (common species), Badger, and Dormouse.
- 6.35 The site comprises predominantly rough grassland, dense and scattered scrub and scrubby boundary hedges. Collectively the habitats within the proposed development site are assessed as being of value at up to the County level. Species specific surveys for reptiles, Dormouse, Badger and Great Crested Newts were undertaken in 2017 and confirmed the presence of Dormice in scrub habitats in the northern, lower field, a moderate population of Slow Worm and Common Lizard and limited Badger activity (foraging and dung pits) also in habitats in the lower field. Great Crested Newt DNA analysis confirm that this species was absent from the pond.
- 6.36 Mitigation has been proposed, including outline avoidance measures in respect of Dormouse and reptiles including seasonal constraints to site clearance, capture and translocation of reptiles and establishment of replacement habitat in the northern, lower

field. This outline mitigation would reduce the impacts of the development proposals upon the habitats and species present, to give rise to an overall Neutral impact.

- 6.37 A number of ecological enhancements have been proposed, which would improve the quality of the site for native flora and fauna, including habitat piles, bat boxes, bird boxes and native planting. Delivery of these enhancements would lead to an overall Neutral-Minor Beneficial impact.
- 6.38 Essex Wildlife Trust has reviewed the content of the ecological survey and the outlined mitigation measures and confirms that the proposals are acceptable and conform to CIEEM guidelines and the guidelines in the Dormouse Conservation Handbook (Second Ed.) 2006. They have requested that the ecological enhancements and mitigation measures are secured via condition. The replacement habitat is proposed to be to the north of the application site on land in the applicant's ownership. Consequently, a condition can be used to secure the habitat provision.

Flooding/Drainage

- 6.39 Paragraph 103 of the NPPF requires Councils, when determining planning applications, to ensure flood risk is not increased elsewhere. Although the site is in Flood Zone 1 (low risk), the NPPF, Policy QL3 in the adopted Local Plan and Policy PPL1 in the emerging Local Plan still require any development proposal on site larger than 1 hectare to be accompanied by a site-specific Flood Risk Assessment (FRA). This is to assess the potential risk of all potential sources of flooding, including surface water flooding that might arise as a result of development.
- 6.40 A Flood Risk Assessment and sustainable drainage strategy has been provided with the application. The site lies within Flood Zone 1 and is therefore at low risk of flooding from rivers and the sea. Surface water from the development must be adequately managed to prevent runoff and risk of flooding elsewhere. The sustainable drainage strategy proposes to utilise the existing pond on site where surface water will be discharged via a swale at a controlled rate to a second attenuation basin to be formed to the north of the site adjacent to the A120. Surface water will be attenuated here prior to off-site discharge to an existing ditch that runs parallel with the southern side of the A120.
- 6.41 Additional information has been submitted during the application process to overcome the original objection from Essex County Council Flood Water Management Team, who now raises no objection to the proposal subject to conditions set out above.
- 6.42 Anglian Water in their consultation response confirms that the foul drainage from this development is in the catchment of Harwich and Dovercourt Water Recycling Centre and that it has available capacity for these flows.

Legal Obligations

- 6.43 The following obligations are to be secured as part of a Section 106 Legal Agreement:

- NHS Provision

There is a requirement for a developer contribution of £ £14,983, for the improvement of Mayflower Medical Centre before development commences.

- Affordable Housing

The Council's Housing Department have confirmed the requirement of one 'gifted' three bedroomed bungalow on the site as the affordable provision. They confirm that

this is the type of property that they are acutely short of in their stock generally and particularly in this area.

- Education Contribution

ECC Education Department have confirmed the need for a financial contribution towards early years care and primary school places in Chase Lane Primary. An indicative figure of £251,219 has been requested and will be secured via the Section 106 agreement.

- Open Space Contribution

An area of open space around the existing pond is to be provided on site. The maintenance of which will be controlled via clauses in the legal agreement. Notwithstanding this, due to the overall deficit in both Open Space and Play Areas in Harwich and Dovercourt it is agreed that a financial contribution towards improvements to existing play equipment is justified and relevant to the planning application. The contribution would be used at Dovercourt Pool Play Area and will be secured via the Section 106 agreement.

Conclusion

- 6.44 The proposal for 42 dwellings is considered to represent sustainable development, on the northern edge of the Dovercourt and Harwich Urban Area, and in an area benefiting from planning permission for a mixed use development on the adjacent site and as a proposed housing allocation within the emerging local plan.
- 6.45 The design, layout, landscaping and scale are considered acceptable. The proposal would result in no material harm to residential amenity, highway safety and designated habitats/landscapes. Subject to completion of the S106 legal agreement and the conditions set out above the application is recommended for approval.

Background Papers

None.

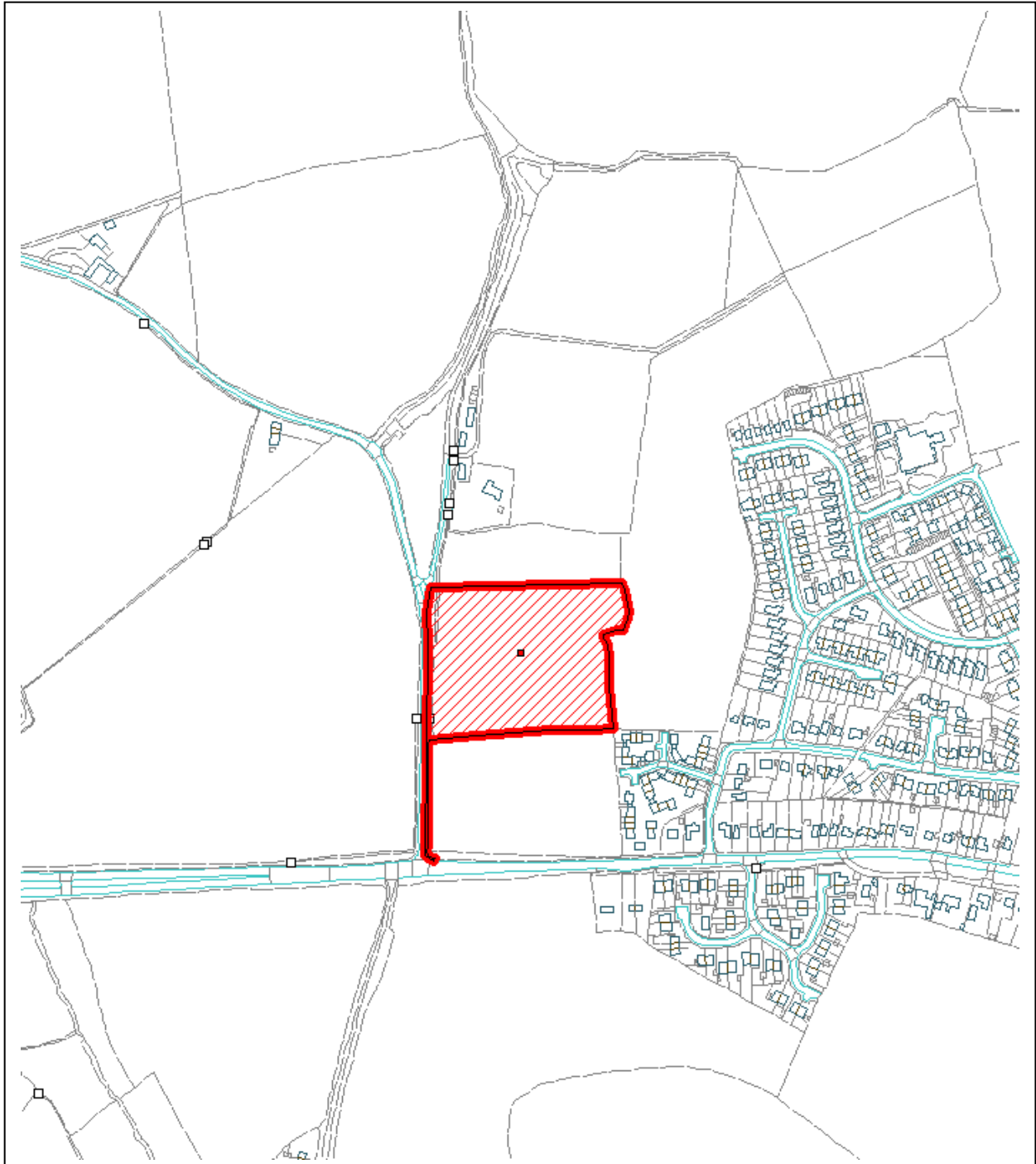
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PLANNING COMMITTEE

26th June 2018

REPORT OF THE HEAD OF PLANNING

A.3 PLANNING APPLICATION - 18/00681/DETAIL - LAND TO THE EAST OF TYE ROAD, ELMSTEAD, CO7 7BB



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Application:	18/00681/DETAIL	Town / Parish: Elmstead Market Parish Council
Applicant:	Mr S Williams - Hills Residential Ltd	
Address:	Land to The East of Tye Road, Elmstead, CO7 7BB	
Development:	Reserved matters application for construction of new access to serve housing development approved under 16/00219/OUT (amendment to application 17/00927/DETAIL).	

1. Executive Summary

- 1.1 This application is referred to Planning Committee as it seeks to amend a condition which was originally imposed by Planning Committee on 27th February 2018.
- 1.2 Outline application 16/00219/OUT sought consent for the erection of up to 32 dwellings, land for a community facility and associated parking and infrastructure. This application was granted at appeal in April 2017, with all matters of detail reserved. Following this approval a reserved matters application for details of access was submitted (17/00927/DETAIL). This application was approved by Planning Committee on 27th February 2018, subject to a condition requiring the footpath and highway works to be provided prior to development commencing.
- 1.3 This application is a resubmission of application 17/00927/DETAIL to seek permission to amend the wording of Condition No. 2. The change proposes that the footpath and highway works will be provided prior to any dwelling being occupied rather than development commencing. All other aspects of the proposal remain unchanged.
- 1.4 It is considered that for the reasons set out above Condition No. 2 on 17/00927/DETAIL fails to meet the relevant tests for conditions set out in the NPPF as it is not entirely necessary, not directly related to the development and therefore is unreasonable in requiring the provision of the footpath and highway works prior to commencement of development. The amended wording to require the provision of the footpath and highway works prior to first occupation of any dwelling meets the relevant tests, therefore this proposed amendment is recommended for approval.
- 1.5 The visual impact and highway safety aspect of the proposal has not been amended since the Planning Committee granted application 17/00927/DETAIL and therefore it would be unreasonable to refuse this application on these grounds.

Recommendation: Approve

Conditions:

1. In accordance with approved plans
2. Prior to occupation the highway improvement works shall be provided entirely at the Developer's expense.

2. Planning Policy

National Planning Practice Guidance

National Planning Policy Framework

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
- HG1 Housing Provision
- HG4 Affordable Housing in New Developments
- HG6 Dwelling Size and Type
- HG7 Residential Densities
- HG9 Private Amenity Space
- COM1 Access for All
- COM6 Provision of Recreational Open Space for New Residential Development
- COM26 Contributions to Education Provision
- COM31A Sewerage and Sewage Disposal
- EN1 Landscape Character
- EN4 Protection of the Best and Most Versatile Agricultural Land
- EN6 Biodiversity
- EN6A Protected Species
- EN6B Habitat Creation
- EN13 Sustainable Drainage Systems
- TR1A Development Affecting Highways
- TR10A General Aviation
- TR3A Provision for Walking

- TR5 Provision for Cycling
- TR6 Provision for Public Transport Use
- TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

- SPL1 Managing Growth
- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- HP5 Open Space, Sports & Recreation Facilities
- LP1 Housing Supply
- LP2 Housing Choice
- LP3 Housing Density and Standards
- LP4 Housing Layout
- LP5 Affordable and Council Housing
- PPL1 Development and Flood Risk
- PPL3 The Rural Landscape
- PPL4 Biodiversity and Geodiversity
- CP1 Sustainable Transport and Accessibility
- CP2 Improving the Transport Network

Status of the Local Plan

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. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

3. Relevant Planning History

16/00219/OUT	Outline planning application for	Refuse	27.07.2016
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	residential development of up to 32 dwellings, land for a community facility and associated parking and infrastructure.	Allowed at Appeal	
16/01950/OUT	Outline planning application for residential development of up to 32 dwellings and associated open space, car parking and infrastructure.	Withdrawn	26.04.2017
17/00927/DETAIL	Reserved matters application for construction of new access to serve housing development approved under 16/00219/OUT.	Approved	12.03.2018
18/00512/OUT	Outline planning application for residential development of up to 18 dwellings and associated open space, car parking and infrastructure.	Current	

4. **Consultations**

ECC Highways Department

Raise no objection to the proposed amendment for the footpath and highway works to be completed prior to first occupation.

5. **Representations**

Elmstead Parish Council objects to the application for the following reasons:

- Due to the location of this development, where pedestrian access to the village will be along Tye Road, this footpath is critical.
- It is necessary and vital that the footpath is provided prior to development commencing to ensure that the footpath is viable.

6. **Assessment**

Site Context

- 6.1 The site is situated to the east of Tye Road and the western edge of Elmstead. The application site is roughly rectangular in shape and measures 2.4 hectares. It is currently managed as an arable field and is bounded by a continuous mixed native hedgerow with individual mature trees.
- 6.2 To the north of the site is a detached residential property and land which is subject to a current planning permission for a further 18 dwellings (18/00512/OUT). To the east of the site is a development site to the north of Meadow Close which was subject to an outline planning permission (14/01238/OUT) for 20 dwellings which was granted. To the south of the site lies an agricultural field beyond which is Colchester Road. Tye Road forms the western boundary of the site.

Planning History

- 6.3 Outline planning permission for 32 dwellings, land for a community facility and associated parking and infrastructure was granted at appeal on 6th April 2017 (16/00219/OUT). This application was subject to a legal agreement and a number of conditions, including that details of the access, appearance, landscaping, layout and scale be submitted. Following this approval a reserved matters application for details of access was submitted (17/00927/DETAIL). This application was approved by Planning Committee on 27th February 2018, subject to a condition requiring the footpath and highway works to be provided prior to development commencing.

Proposal

- 6.4 This application is a resubmission of application 17/00927/DETAIL to seek permission to amend the wording of Condition No. 2 which states:

No development shall commence until the footpath and highways works as shown on Drawing No. S161/216 Rev. C have been provided (entirely at the developer's expense).

It is proposed to amend the condition to the following:

No dwelling shall be occupied until the footpath and highways works as shown on Drawing No. S161.216 Rev. C have been provided entirely at the developers expense.

- 6.5 The change proposes that the footpath and highway works will be provided prior to any dwelling being occupied rather than development commencing. All other aspects of the proposal remain unchanged.

Principle

- 6.6 Paragraph 206 of the NPPF states that planning conditions should only be imposed where they are:

- Necessary
- Relevant to planning
- Relevant to the development to be permitted
- Enforceable
- Precise
- Reasonable in all other respects

Necessary

- 6.7 The guidance states that a condition must not be imposed unless there is a definite planning reason for it, i.e. it is needed to make the development acceptable in planning terms. It is considered that a footpath to serve the proposal is necessary and therefore it is necessary to control its provision and that time of provision to ensure that it is carried out. However as the condition has to be related to the development permitted the footpath only becomes necessary when the development becomes occupied as it is only at that stage that the development will generate pedestrians to use the footpath.

Relevant to planning

- 6.8 A condition must not be used to control matters that are subject to specific control elsewhere in planning legislation (for example, advertisement control, listed building

consents or tree preservation) and specific controls outside planning legislation may provide an alternative means of managing certain matters (for example, works on public highways often require highways' consent).

- 6.9 The provision of the footpath and highway works is considered to be relevant to planning, the condition seeks to control the provision of the works, rather than the exact detailing which will be subject to highways' consent. The condition as existing and as proposed meets this criterion.

Relevant to the development to be permitted

- 6.10 It is not sufficient that a condition is related to planning objectives; it must also be justified by the nature or impact of the development permitted. A condition cannot be imposed in order to remedy a pre-existing problem or issue not created by the proposed development.
- 6.11 The reason for the existing condition is to make adequate provision for additional pedestrian and vehicular traffic generation within the highway as a result of the proposed development. It is therefore relevant to the proposed development, but only once the development is occupied and generates pedestrians. It is accepted that pedestrians walk along Tye Road at present and the footpath would be of benefit to these pedestrians, but as stated above, a condition cannot be imposed to remedy a pre-existing issue not created by the development. It is considered that the condition will only meet this criterion if it is reworded as proposed, as it cannot be related to the development unless the development generates pedestrians to use the footpath and this will only occur once the dwellings are occupied.

Enforceable

- 6.12 It must be possible to enforce any planning condition proposed; it is considered that the condition as existing and as proposed is enforceable.

Precise

- 6.13 Any condition must be written in a way that makes it clear to the applicant and others what must be done to comply with it. The condition as existing and as proposed is clear and meets this criterion.

Reasonable in all other respects

- 6.14 Conditions which place unjustifiable and disproportionate burdens on an applicant will fail the test of reasonableness. It is considered that the condition as existing is unjustifiable and disproportionate as for the reasons set out above it is not entirely necessary or relevant to the development permitted.
- 6.15 For the above reasons, the proposal to amend the condition as proposed is supported.

Highway Safety

- 6.16 At the stage of the outline application the indicative plan submitted indicated a footpath along the eastern side of Tye Road. The Council's reason for refusal states that it had not been demonstrated that pedestrian links to local facilities could be provided without harm to the character of the area resulting from the removal of significant trees and hedgerow. However, as part of the appeal process a plan was submitted showing a footpath to the west of Tye Road. The Inspector considered as the application was submitted in outline with all matters reserved for future consideration, the revised details are indicative only and

do not therefore materially alter the proposed development and therefore took this revision into account when determining the appeal.

- 6.17 Application 17/00927/DETAIL proposed a footpath with a width of 1.5 metres which is below the recommended width of a footpath as set out in The Manual for Streets and The Essex Design Guide. Paragraph 6.3.22 of The Manual for Streets states that: 'there is no maximum width for footways. In lightly used streets (such as those with a purely residential function), the minimum unobstructed width for pedestrians should generally be 2m. Additional width should be considered between the footway and a heavily used carriageway, or adjacent to gathering places, such as schools and shops'. Page 122 of the Essex Design Guides sets out the minimum carriageway width and footway requirements for different types of roads and when referring to footpath it states they should be 2 metres wide. However, these documents are not legislative duty, but guidance only. Paragraph 6.3.23 of The Manual for Streets states that 'footway widths can be varied between different streets to take account of pedestrian volumes and composition' and page 117 of the Essex Design Guide states the width of footways to roads 'will vary according to the type of road, but normally is sufficient to allow two people to pass'. It is clear from these documents that there whilst the recommended width of a footpath is 2 metres that there is some flexibility.
- 6.18 Essex County Council Highways also considered the frequency of use of the proposed footpath using the TRICS database, which is the natural system of trip generation analysis. This shows that both morning and evening peak usage will generate an average of 5.5 pedestrians per peak hour. Bearing in mind there are public right of way routes which also lead to the village and therefore some of these pedestrians will not use the footpath, the development is considered unlikely to generate more than 4 pedestrian movements in a peak hour. The Highway Officer re-examined the collision data website and there have been no collisions recorded in Tye Road.
- 6.19 Essex County Council Highways have been consulted on the application and raise no objection to the application. Following a previous site visit Essex County Council Highways confirmed that they consider that the new footway, albeit of a lesser width than normal standards, will not only provide a suitable refuge for the very limited number of new pedestrians, but will also be of benefit to those existing pedestrians who already use Tye Road.
- 6.20 During the determination of application 17/00927/DETAIL highways safety issues were raised, it was considered that without an objection from Highways that a reason for refusal on highway grounds could not be justified or successfully defended on appeal.
- 6.21 In terms of the impact on highway safety the proposal has not been amended since the Planning Committee granted application 17/00927/DETAIL and therefore it would be unreasonable to refuse this application, which is a re-submission to amend the wording of a condition on these grounds.

Visual Amenity/Appearance

- 6.22 The Inspector considered that the removal of the hedgerow on the west side of Tye Road, which is no longer proposed, would not unduly harm the character or appearance of the area. The Inspector was satisfied that it was demonstrated that adequate footpath links to the village could be provided and that such details could be suitably dealt with a part of a future reserved matters application.
- 6.23 The submitted plans show the existing hedgerow to be retained. Given the location of the hedgerow it will be a constraint on the development. However at outline stage the Inspector was satisfied that its loss would not unduly harm the character or appearance of the area. It is noted that the hedgerow is not within the applicants or Highways ownership but this is

not a material planning consideration, as Essex County Council Highways would have rights to carry out any works on highway land to whatever depth is required.

- 6.24 When considering the principle of development on the site the Inspector found that whilst the development would result in limited harm to the character of the area, this harm would not significantly and demonstrably outweigh the benefits of the scheme. Given that consent has been given for development of the site and that the character of area will change to become more urbanised and it is therefore considered that the proposed footpath would not result in any greater harm.
- 6.25 The visual impact of the proposal has not been amended since the Planning Committee granted application 17/00927/DETAIL and therefore it would be unreasonable to refuse this application on these grounds.

Conclusion

- 6.26 It is considered that for the reasons set out above Condition No. 2 on 17/00927/DETAIL fails to meet the relevant tests for conditions set out in the NPPF and therefore is unreasonable in requiring the provision of the footpath and highway works prior to commencement of development. The amended wording to require the provision of the footpath and highway works prior to first occupation of any dwelling meets the relevant tests, therefore this proposed amendment is recommended for approval.
- 6.27 The visual impact and highway safety aspect of the proposal has not been amended since the Planning Committee granted application 17/00927/DETAIL and therefore it would be unreasonable to refuse this application on these grounds.

Background Papers

None.

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PLANNING COMMITTEE

26th June 2018

REPORT OF THE HEAD OF PLANNING

A.4 PLANNING APPLICATION - 18/00320/FUL - CLIFF SLOPE BETWEEN HAZELMERE ROAD AND QUEENSWAY (PRIORITY AREAS 1 AND 2) ANGLEFIELD AND VICTORIA ROAD (PRIORITY AREAS 3 AND 4), HOLLAND ON SEA



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Application:	18/00320/FUL	Town / Parish: Clacton Non Parished
Applicant:	Tendring District Council - Mr James Ennos	
Address:	Cliff Slope Between Hazelmere Road and Queensway (Priority Areas 1 and 2) Anglefield and Victoria Road (Priority Areas 3 and 4), Holland on Sea	
Development:	Stabilisation and remediation measures for the cliff slope.	

1. Executive Summary

- 1.1 This application is reported to Planning Committee because Tendring District Council is the applicant.
- 1.2 The application proposes stabilisation and remediation measures to two stretches of cliff slope in Holland-on-Sea. The works are required as a priority to stabilise these large sections of cliff identified as failing or unstable. The Clacton and Holland-on-Sea frontage is an important recreational resource for local communities, tourists and for a variety of events. The existing slope failures have resulted in some of the footpaths along the slopes being closed for health and safety reasons.
- 1.3 The various works comprise installing drainage to help reduce water pressure within the slopes; removal and replacement of damaged walls; regrading; landscaping; sheet piling; retaining walls; and access ramps and footpaths. The base/toe of the cliff slopes already benefit from existing coastal protection.
- 1.4 The works are divided into four Priority Areas (PA). The works proposed in PA1 and PA4 will have minimal change to the existing landscape once vegetation grows back. The works proposed in PA2 will result in significant changes with partial loss of Greensward, a new access ramp for wheelchairs and pushchairs, and substantial new planting. The works within PA3 include the regrading of the slope to 24° and also the movement of the slopes landwards by up to 4 metres into the existing Greensward resulting in the existing grass at the top of the slope being removed and a new footpath constructed further landwards.
- 1.5 The Clacton Seafront Conservation Area includes the western part of PA 4 from Anglefield to St Paul's Road and includes all land up to the shoreline. There are also some Grade II listed buildings/lighting on the opposite side of Marine Parade East within the proximity of the proposed works.
- 1.6 The greenwards/cliff top grass verges are designated as existing recreational open space under saved Policy COM7 and safeguarded local green spaces under emerging Policy HP4.
- 1.7 No adverse comments have been received from the Environment Agency, Natural England or Essex County Council Archaeology. 299 neighbour letters have been sent out plus site notices posted, with no public comments received.
- 1.8 The proposal is considered acceptable in relation to design and visual impact, impact on natural environment, heritage impact, and residential amenity as detailed within the report and is therefore recommended for approval.

Recommendation: Approve

Conditions:

1. Standard 3 year time limit for commencement
2. Accordance with approved plans
3. Phase 2 surveys for reptiles and terrestrial invertebrates prior to commencement of development within each of the phased priority areas.
4. Secure recommendations of the Preliminary Ecological Appraisal
5. Construction Management Plan
6. Implementation of soft landscaping

2. Planning Policy

National Planning Policy Framework (NPPF)

94. Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.

109. The planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, geological conservation interests and soils.

113. Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

114. Local planning authorities should: maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes and improve public access to and enjoyment of the coast.

Local Plan

Tendring District Local Plan (2007)

QL9: Design of New Development

QL10: Designing New Development to Meet Functional Needs

QL11: Environmental Impacts

COM1: Access For All

COM7: Protection of Existing Recreational Open Space

EN1: Landscape Character

EN6: Biodiversity

EN6a: Protected Species

EN11b: Protection of National Sites: Sites of Special Scientific Interest, National Nature Reserves, Nature Conservation Review Sites, Geological/Geomorphologic sites

EN17: Conservation Areas

EN23: Development within the Proximity of a Listed Building

TR1a: Development Affecting Highways

TR3a: Provision for Walking

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SP1: Presumption in Favour of Sustainable Development

SPL3: Sustainable Design

HP4: Safeguarded Local Greenspace

PPL3: The Rural Landscape

PPL8: Conservation Areas

PPL9: Listed Buildings

PPL4: Biodiversity and Geodiversity

CP1: Sustainable Transport and Accessibility

Status of the Local Plan

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. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

3. Relevant Planning History

02/01689/FUL	Engineering works to re-grade the cliff slope	Approved	23.10.2002
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4. Consultations

Building Control	Not a Building Regulations issue.
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Environment Agency No objection. In agreement with the conclusions of the Preliminary Ecological Appraisal. Provided that the recommendations for further surveys for reptiles and invertebrates are undertaken we have no objection to the proposal. The proposed works are located on a frontage that is managed under the Coastal Protection Act 1949 by Tendring District Council. Therefore, a Flood Risk Activity Permit is not required for the works.

Natural England No concerns re potential impacts on designated sites but recommend that the Preliminary Ecological Appraisal is updated to remove incorrect reference to the site being within a SSSI. Have not assessed this application for impacts on protected species but have published Standing Advice which you can use to assess impacts on protected species.

The lack of comment from Natural England on other aspects of the natural environment does not imply that there are no impacts, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the LPA to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process.

**Essex County Council
Archaeology** The Historic Environment Record does contain a number of records relating to the use of the coastal region for the placement of defences during the Second World War and, along this stretch of coast, a number of various forms of defence have been recorded. It is possible that below ground remains associated with the coastal defences may survive within the slope and may be encountered during the works. The impact of the works proposed would be minimal and would not require archaeological investigation. There is no recommendation for any archaeological investigation for the above application.

The proposed works lie along a stretch of coast which contains two geological SSSIs. The Holland on Sea cliffs SSSI, contain Anglian gravels from the former route of the Thames River before it was diverted southwards. The second SSSI lies further to the south at Clacton which is one of the principal prehistoric sites in Europe and a site of considerable international importance. The proposed works are likely to expose part of the cliffs that contain sediments which have geological/sedimentological interest and should there be opportunity for recording and/or sampling of the exposed sections this would be beneficial to the stratigraphic sequence of this part of the coast which contains internationally significant geological sequences. It would be considerate to contact the local geological group, GeoEssex, with the proposals before they are implemented.

5. Representations

- 5.1 299 neighbour letters have been sent out plus site notices posted, with no public comments received.

6. Assessment

- 6.1 The main planning considerations are: Principle of development; design and visual impact, impact on natural environment, heritage impact, and residential amenity.

Site location

- 6.2 The proposal is divided into two sections of cliff slope. Priority Areas (PA) 1 and 2 are located between Hazelmere Road and Queensway. PAs 3 and 4 are located between Anglefield and Victoria Road. The cliffs slope steeply down to the beach with existing footpaths and ramps, public toilets and beach huts within or adjacent to the site.
- 6.3 Built development in the form of dwellings, care homes, tourist accommodation and shops/restaurants lie to the north on the opposite side of the cliff top roads of Kings Parade and Marine Parade East.
- 6.4 The Clacton Seafront Conservation Area includes the western part of PA 4 from Anglefield to St Paul's Road and includes all land up to the shoreline. There are also some Grade II listed buildings/lighting on the opposite side of Marine Parade East within the proximity of the proposed works.
- 6.5 The greenwards/cliff top grass verges are designated as existing recreational open space under saved Policy COM7 and safeguarded local green spaces under emerging Policy HP4.

Summary of proposal

- 6.6 The application proposes stabilisation and remediation measures to two stretches of cliff slope in Holland-on-Sea. The works are required as a priority to stabilise these large sections of cliff identified as failing or unstable. The aim of this Scheme is to provide remediation works, which will be sustainable for at least 50 years.
- 6.7 The works are split into four priority areas (PA) with PA1 (Kingscliff) and PA2 likely to commence first and PA3 and PA4 dependant on remaining funding.
- 6.8 The various works comprise installing drainage to help reduce water pressure within the slopes; removal and replacement of damaged walls; regrading; landscaping; sheet piling to a maximum of 2.5 metres high; concrete retaining walls; and access ramps and footpaths. The base/toe of the cliff slopes already benefit from existing coastal protection.
- 6.9 The works within PA1 (Kingscliff) include removal of the toe wall and the diversion of existing drainage behind the beach huts, so all 42 huts could need to be removed to allow access. Access to the beach huts within the site boundary will not be allowed whilst the works are being undertaken. This message has been issued to the beach hut owners that will be affected. Sheet piling will be installed behind the huts to a maximum of 2 metres high. Construction of the new pedestrian ramp and repairs to the beach hut pavement will then follow.
- 6.10 PA2 relates to the existing failure of the concrete facing on the slopes at Kingscliff. Works involve installation of an access ramp to allow wheelchairs, pushchairs and mobility scooters easier access; embankment slope cut footpath construction; construction of

retaining walls (less than 2m in height); the Greensward at the top of the cliff will require regrading resulting in the footpath taking a straight line rather than the current location. This results in a small reduction in the Greensward but this loss is adequately compensated for by the significant improvements to the public access down to the beach and the need to stabilise the cliff wall.

- 6.11 Slope regrading within PA3 also results in the movement of the slopes landwards by up to 4 metres into the existing Greensward resulting in the existing grass at the top slope being removed and a new footpath constructed further landwards. Although this change will have an impact on the look of the frontage it is required to ensure the cliff is more stable.
- 6.12 PA4 involves regrading and installation of ground anchors. A geotextile will be placed over the top of the anchor and top soil and a seed mix placed above. The anchors could, depending on the system, protrude from the top soil but will result in minimal visible change.

Principle of development

- 6.13 The greenwards/cliff top grass verges are designated as existing recreational open space under saved Policy COM7 and safeguarded local green spaces under emerging Policy HP4. These policies state that development proposals will not be permitted that would prejudice the use or involve the loss of recreational open space.
- 6.14 Proposed works within PA2 and PA3 include regrading and footpath relocation which will result in loss of some of the existing cliff top informal recreational space. This is most significant within PA3 where the movement of the slopes landwards is by up to 4 metres into the existing Greensward. However, this loss is adequately compensated for by the significant improvements to the public access down to the beach, the need to stabilise the cliff wall, and the provision of enhanced landscaping to make the wider public space more attractive. The remaining cliff top grassed areas are still large and highly usable for informal recreation.
- 6.15 The works are proposed by the Council in relation to responsibility for coastal protection and in light of surveys confirming the instability of the cliffs. The works are therefore required for public safety reasons but are located within an area of landscape, ecological and geological sensitivity where the detail of the proposal is assessed below. The works are not related to flood protection.

Design and visual impact

- 6.16 Policies QL9, QL10 and QL11 in the adopted Local Plan and Policy SPL3 in the emerging Local Plan set out the criteria against which all development proposals are judged, including requirements for development to be well designed, appropriate to their surroundings and undertaken with minimal adverse impacts.
- 6.17 Footpaths will be constructed in black/red asphalt concrete with tactile warning paving as required. Handrails will be stainless steel. No lighting is included within the proposals.
- 6.18 Detailed landscaping proposals are included with topsoil to be seeded (with Slender Creeping Red Fescue, Perennial Ryegrass, Hard Fescue, Tall Fescue, and Creeping Bent); wildflowers; shrubs (Common Broom, Hawthorn, Common Gorse, Dwarf Gorse, Bell Heather, Common Heather, Dyer's Broom, Purple Moor Grass, Tufted Hair Grass and Great Mullein); and trees (3 Scots Pine, 2 Stone pine, 1 Holm Oak and 1 White Poplar).
- 6.19 The works are divided into four Priority Areas (PA). The works proposed in PA1 and PA4 will have minimal change to the existing landscape once vegetation grows back. The works proposed in PA2 will result in significant changes with partial loss of Greensward, a new

access ramp for wheelchairs and pushchairs, and substantial new planting. The works within PA3 include the regrading of the slope to 24° and also the movement of the slopes landwards by up to 4 metres into the existing Greensward resulting in the existing grass at the top slope being removed and a new footpath constructed further landwards.

- 6.20 The detailed design is considered acceptable subject to conditions to secure implementation of the proposed soft landscaping.

Impact on natural environment

- 6.21 The application site does not include any land subject to nature designations. Natural England confirms no concerns regarding potential impacts on designated sites.
- 6.22 A Preliminary Ecological Appraisal (PEA) has been submitted to provide an initial assessment of the ecological constraints and opportunities. This incorrectly states the site lies within the Holland on Sea Cliff geological Site of Special Scientific Interest (SSSI) and an addendum to the report is awaited to correct this error.
- 6.23 The PEA confirms the site provides suitable habitat for terrestrial invertebrates, nesting birds, reptiles, and small wild mammals.
- 6.24 The PEA states in relation to reptiles: Further surveys are recommended to establish whether reptile species are present on site. If reptiles are found to be present, further population size class surveys may be required. Any reptiles on site may then need to be translocated prior to works being undertaken. Reptiles are active between the months of March and October. However, periods of hot weather should be avoided when surveying. Therefore, surveys should be carried out during April, May and September where possible in order to increase the reliability of the results. Works which may break ground, or disturb potential reptile hibernacula should be avoided between October and March. Where this cannot be avoided an ecological watching brief may be required. This will ensure that works do not disturb hibernation reptiles.
- 6.25 The PEA states in relation to terrestrial invertebrates: It is recommended that further surveys for terrestrial invertebrates are carried out on suitable habitats across the site. A specialist entomologist will be required to undertake surveys on these habitats, in order to identify the potential presence of any protected species of invertebrate that may be using the site.
- 6.26 The PEA states in relation to birds: It is recommended that any vegetation clearance works within areas of Tamarisk, scrub, scattered trees or coastal heathland are programmed to be undertaken outside of the main breeding bird season (March to August inclusive). This will reduce the risk of disturbance or harm to any breeding birds, their active nest or young. Where this is not possible, a suitably qualified ecologist would be required to check for the presence of breeding birds immediately prior to the commencement of clearance works. Where any active nests are found, a buffer zone would need to be cordoned off around the nest to safeguard the nest itself, and any young within it. It would be required for this to remain in place until the young have all fledged and left the nest and the immediate area surrounding it.
- 6.27 Recommendations are also provided regarding best practice for badgers, birds, otter, water vole, hedgehogs and rabbits (which are protected from certain cruel acts under Wild Mammals (Protection) Act 1996).
- 6.28 The applicant confirms that reptile and terrestrial invertebrate surveys have already been undertaken for PAs 1 and 2 which raise no concerns with translocation and habitat

enhancement proposed. These have not yet been submitted for consideration but will be required by the condition detailed below.

- 6.29 Conditions are recommended to secure the Phase 2 surveys for reptiles and terrestrial invertebrates as detailed within the PEA, prior to commencement of development within each of the phased priority areas. It is recognised that there could be a substantial delay before implementation of PAs 3 and 4 so any surveys undertaken prior to determination would likely be out of date at the time of implementation. A condition is also recommended to secure the recommendations and species specific best practice advice in relation to other species which may be present within, or close to the site.
- 6.30 The Environment Agency confirms agreement to the conclusions of the PEA provided that the recommendations for further surveys for reptiles and invertebrates are undertaken.
- 6.31 Essex County Council Archaeology states it is possible that below ground remains associated with the Second World War coastal defences may survive within the slope and may be encountered during the works but the impact of the works proposed would be minimal and would not require archaeological investigation. The proposed works lie along a stretch of coast which contains two geological SSSIs. The proposed works are likely to expose part of the cliffs that contain sediments which have geological/sedimentological interest and they state it would be considerate to contact the local geological group, GeoEssex should there be opportunity for recording and/or sampling of the exposed sections. An informative will be added to this effect.
- 6.32 Subject to the recommended conditions the proposal is therefore considered acceptable in relation to biodiversity and archaeology.

Heritage impact

- 6.33 The NPPF states Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 6.34 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.35 The Clacton Seafront Conservation Area includes the western part of PA 4 from Anglefield to St Paul's Road and includes all land up to the shoreline. The works proposed in this area above the cliff top involve regrading the cliff and moving it landwards around 4 metres with a new footpath and handrail. This will clearly impact upon the character and appearance of the Clacton Seafront Conservation Area. However, once the works are complete and the slopes are revegetated it is considered that the impact would not be significant and would preserve the character and appearance of the Clacton Seafront Conservation Area.
- 6.36 There are also some listed buildings/lighting on the opposite side of Marine Parade East which are all listed at Grade II: Former Colchester Institute 'Main' Building, and Row of 16 Street Lights S of Esplanade; and between the two areas of works are: 5 street lights south side of Esplanade between Lancaster Gardens and Connaught Gardens; and 101 The Moot Hall. Given the separation provided by the road and associated verges/greensward the proposed works would preserve the setting of these listed buildings/lighting.

Residential amenity

- 6.37 A Preliminary Construction Management Plan has been provided relating to issues such as public safety, amenity, operating hours, noise and vibration controls, air and dust management, waste and materials re-use, and traffic management. A condition will be imposed to secure a final Construction Management Plan in the interests of amenity and highway safety.
- 6.38 All dwellings are separated from the proposed works by the coastal road and existing greenswards or verges. There will obviously be disruption, noise and construction traffic during the extensive works however given the physical separation distance and the fact that much of the work will be over the crest of the cliff slope, this disturbance would not be significant.

Background Papers

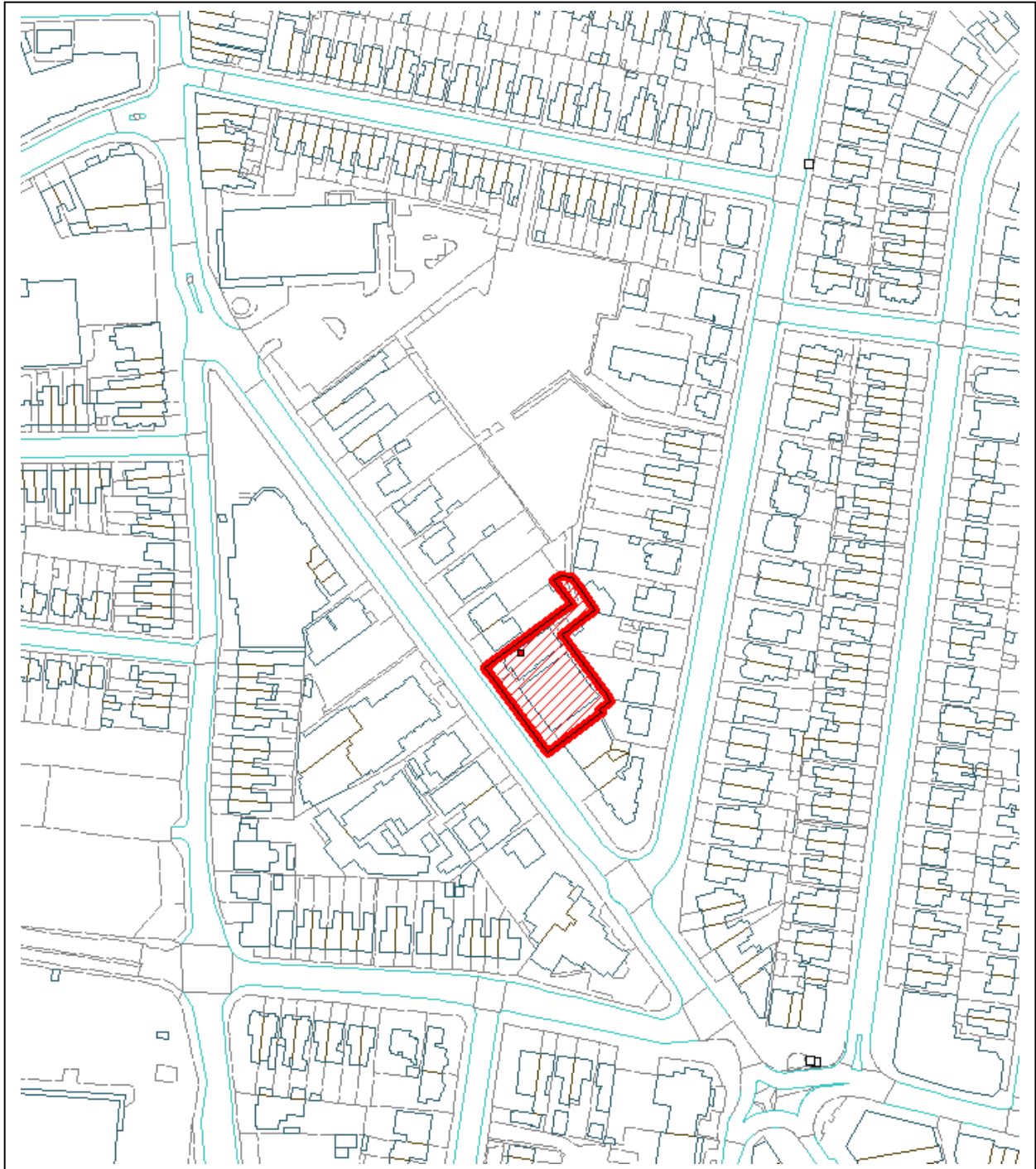
None.

PLANNING COMMITTEE

26th June 2018

REPORT OF THE HEAD OF PLANNING

A.5 PLANNING APPLICATION - 18/00613/FUL - BARNES HOUSE, 92 PIER AVENUE, CLACTON ON SEA, CO15 1NJ



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Application:	18/00613/FUL	Town / Parish: Clacton Non Parished
Applicant:	Tendring District Council	
Address:	Barnes House 92 Pier Avenue Clacton On Sea, CO15 1NJ	
Development:	Proposed first floor flat roof extension at the rear of Barnes House and proposed two-storey link between Barnes House and 86-90 Pier Avenue	

1. Executive Summary

- 1.1 This application is referred to the Planning Committee as the applicant is Tendring District Council.
- 1.2 The application seeks planning permission for a first floor rear extension to Barnes House over the existing single storey addition and the construction of a two-storey link between Barnes House and the Council's Revenues and Benefits Building (86-90 Pier Avenue).
- 1.3 The proposals to extend the Council's office space and to link the two buildings are required to progress the Council's Office Transformation project and do not result in any material harm to visual amenity or any material impact upon neighbouring amenities.

Recommendation: Approve

Conditions:

1. Time Limit – 3 yrs
2. Materials to match Barnes House
3. Approved Plans

2. Planning Policy

National Policy

National Planning Policy Framework

National Planning Practice Guidance

Local Plan Policy

Tendring Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

ER7 Business, Industrial and Warehouse Proposals

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

PP6 Employment Sites

Status of the Local Plan

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. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

3. Relevant Planning History

90/00255/DEEME D	Retention of Portacabins adjacent to Community Charge Office.	Deemed Consent	30.05.1990
09/00880/FUL	Erection of single storey extension to provide additional office accommodation. Construction and realignment of pedestrian path. Siting of emergency generator. Ancillary works and landscaping.	Approved	15.10.2009
18/00613/FUL	Proposed first floor flat roof extension at the rear of Barnes House and proposed two storey link between Barnes house and 86-90 Pier Avenue.	Current	

4. Consultations

Building Control Insufficient information to comment on at this time.

5. Representations

5.1 No third party representations have been received.

6. Assessment

6.1 The main planning considerations are:

- Site Context
- Proposed Development
- Visual Impact/Design
- Residential Amenity
- Parking

Site Context

- 6.2 The application site is located on the eastern side of Pier Avenue within the settlement of Clacton-on-Sea and comprises of a two-storey Victorian villa (Barnes House) utilised as office accommodation located to the north of the Council's Benefits and Revenues building. Both buildings are in Tendring District Council's ownership.
- 6.3 The frontage of the two building is sub-divided with half retaining a traditional Victorian garden area and the other half being hard surfaced and amalgamated into the frontage of the Benefits and Revenues Building. On the northern side of Barnes House is a pedestrian footpath that leads through to the Wellesley Road car park at the rear. Beyond the footpath to the north is the Tendring Deen Education Centre to the rear of which is a gravel area utilised for parking. At the rear of Barnes House itself an emergency generator enclosed by metal railings.

Proposed Development

- 6.4 This application seeks planning permission for the erection of a first floor rear extension to Barnes House to be sited over the existing ground floor addition and the construction of a two-storey link between the Revenues and Benefits Building and Barnes House.
- 6.5 The first floor addition would accommodate additional office space associated with the Council's Office Transformation project and would measure 11.5m in depth and 8.5m in width. The extension would be finished to match the height and materials of the existing single storey addition.
- 6.6 The two-storey link would provide access through from the Benefits and Revenues Building into Barnes House and would also provide storage space and a meeting room.

Visual Impact/Design

- 6.7 The first floor addition would extend along the depth of the existing single storey addition constructed in 2009 and would relate appropriately in terms of its finished materials and detailing. Whilst deep in nature views of the extension would be limited from Pier Avenue due to its siting to the rear of Barnes House and the presence of nearby buildings. Views of the extension would be apparent from the pedestrian footpath alongside Barnes House and to the rear in the Wellesley Road Car Park, however the extension would be seen against the backdrop of the larger Benefits and Revenues Building to the south and other buildings situated on Pier Avenue. Consequently the overall visual impact and design of the first floor extension is considered to acceptable.
- 6.8 The two-storey link has been suitably inset at either end to provide a visual break between the two buildings, which are of very different age, style and design. Whilst the ridge height would sit above the eaves of both buildings the setback of the link ensures it would not appear prominent or detrimental to the character and appearance of the street scene. Again the materials are proposed to match those used at Barnes House.
- 6.9 Overall the proposals are considered to be acceptable in design terms and represent a suitable response to the character, form and styling of the buildings.

Residential Amenity

- 6.10 The first floor extension to Barnes House would sit alongside the pedestrian footpath to the north and a parking area at the rear of the Tendring Deen Education Centre. Whilst the extension, due to its height and position, would cause some shadowing to the rear area of the education centre, as it is used for parking purposes any impact would be minimal.
- 6.11 To the east of the site at no. 7 Wellesley Road is a residential property and its rear garden which present to the rear of Barnes House at an angle. Although the rear elevations of both the first floor addition and the link do include windows due to the orientation of the extensions in relation to the rear garden area of no.7 and the fact that they will serve office accommodation, any impact upon resident's privacy level would be minimal. It must also be noted that the surrounding buildings, including the Benefits and Revenues Building, all have windows at first floor level facing this property and in close proximity that the proposals.
- 6.12 Therefore in this context there would be no material loss of amenity to the occupiers of nearby properties.

Parking

- 6.13 The application does not propose any parking provision, however the Wellesley Road Public Car Park is just 25 metres from the site and would adequately provide for any increased parking requirements.

Conclusion

- 6.14 In conclusion the proposals to extend the Council's office space and to link the two buildings do not result in any material harm to visual amenity or any material impact upon neighbouring amenities.

Background Papers

None.

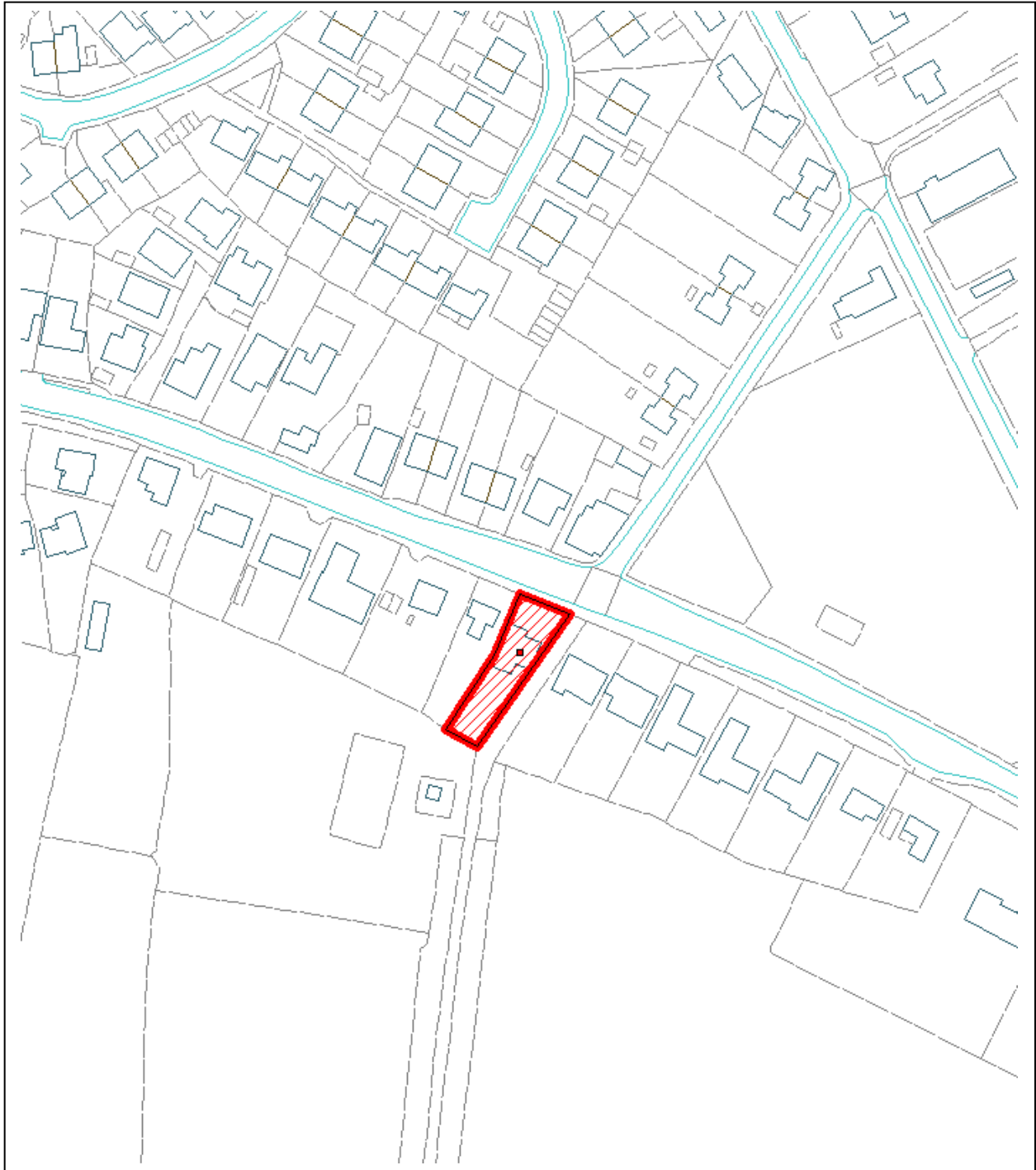
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PLANNING COMMITTEE

26th June 2018

REPORT OF THE HEAD OF PLANNING

A.6 PLANNING APPLICATION – 18/00659/FUL – MARCH HOUSE, CLACTON ROAD, THORRINGTON, CO7 8JW



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Application:	18/00659/FUL	Town / Parish: Thorrington Parish Council
Applicant:	Mr D Fisher	
Address:	March House, Clacton Road, Thorrington, CO7 8JW	
Development:	Proposed annexe building to provide living accommodation	

1. Executive Summary

- 1.1 This application has been called in to be determined by the Planning Committee by Councillor Nicholls on the grounds that the proposal is a disproportionate building, represents over-development of the site, that there is a lack of reasonable access and that March House is being used for business purposes as opposed to a private dwelling use.
- 1.2 The proposed annexe is to be an ancillary building within the curtilage of the main residential dwelling, March House, and will measure 4.9m in height, 8.1m in width and 9.1m in depth.
- 1.3 Following the submission of amended plans to reduce the size, design and bulk, the annexe does not result in significant visual harm or impact to existing neighbouring amenities.

Recommendation: Approve

Conditions:

1. 3 Year Time limit
2. Approved plans
3. Building shall only be occupied as an annexe ancillary to March House

2. Planning Policy

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

HG9 Private Amenity Space

HG14 Side Isolation

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR3A Provision for Walking

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

CP1 Sustainable Transport and Accessibility

SPL3 Sustainable Design

Status of the Local Plan

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. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

3. Relevant Planning History

00/01232/FUL	Non compliance with condition 8 imposed upon planning permission TEN/97/0579 - to enable retention of timber fencing in lieu of hedges	Approved	31.08.2000
97/00579/FUL	(Adjacent to 'Victoria House', Clacton Road, Thorrington) Proposed detached house	Approved	05.08.1997
98/00908/FUL	(Adjacent to Victoria House, Clacton Road, Thorrington) Proposed alteration to access to site (variation to planning permission TEN/97/0579)	Approved	03.09.1998
99/00943/FUL	Proposed alteration to access to site (Variations to Conditions 5, 6 & 7 imposed upon planning permission TEN/98/0908)	Approved	05.08.1999
18/00745/FUL	Proposed rear addition to house.	Current	

4. Consultations

N/A

5. Representations

- 5.1 Thorrington Parish Council have objected to the proposal on the grounds that it is disproportionate, a stand-alone dwelling, overdevelopment of the site and there is a lack of access to the site.
- 5.2 Two letters of objection have been received. The points raised have been summarised below:
 - Parking implications;
 - The building is another dwelling;
 - Noise from the building works; and
 - Concern with how the building will be accessed.

6. Assessment

Site Context

- 6.1 The application site is March House, Clacton Road, Thorrington, which is a north facing detached two storey residential property, constructed with brick and tile. The character of the surrounding area sees a degree of urban built form to all sides, predominantly residential properties; however to the north is a commercial unit, with a playing field to the north-east. Further out to the south the character changes to a more rural feel, with agricultural and grassed land, whilst adjacent to the east is a Public Right of Way running north to south.
- 6.2 The site falls within the Settlement Development Boundary for Thorrington within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

Proposal

- 6.3 The application seeks planning permission for the erection of a single storey annexe to the rear of the existing garden area, measuring 4.9m in height, 8.1m in width and 9.1m in depth and constructed in brick and tile.
- 6.4 Initially the proposed annexe was to include a first floor that incorporated a rear dormer. However following concerns relating to the size, design and bulk, amended plans were then provided.

Ancillary Use

- 6.5 The proposed annexe is to be ancillary to the main residential dwelling, March House. Within the submitted plans, it has been detailed that the annexe is required to house relatives who will serve as carers for the children, with the applicant's former partner having left the residence owing to health issues.

Visual Impact

- 6.6 The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

- 6.7 The proposed annexe is to be sited to the rear of the host dwelling, March House. Therefore, views from the street scene along Clacton Road will largely be restricted. However, due to the adjacent Public Right of Way there be partial views looking towards the proposal from the north-east.
- 6.8 Following the submission of amended plans that have removed the first floor element and rear dormer, the size and design is appropriate and in-keeping with what would be expected from an ancillary annexe. Further, the materials, brick and tile, are in-keeping with the host dwelling.

Impact on Neighbouring Amenities

- 6.9 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'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).
- 6.10 There are a number of surrounding residential properties, notably 'Bramble Cottage' adjacent to the east and 'Victoria House' adjacent to the west. However, as the amended plans have ensured the proposal is to be single storey and there is sufficient separation distance, there is a neutral impact to existing neighbouring amenities.

Other Considerations

- 6.11 Policy HG9 of the Saved Tendring Local Plan 2007 states that private amenity space for a dwelling of three bedrooms or more should be a minimum of 100 square metres. The plans show this level of amenity space would be retained.
- 6.12 As the annexe is ancillary to the main residential dwelling, no additional access point is required or proposed as part of the plans, with all parking to be incorporated within the existing parking arrangement to the front of the dwelling. Adopted Essex Council Parking Standards state that where a dwelling comprises of two or more bedrooms, two parking spaces should be provided measuring 5.5m x 2.9m per space. The plans show this is comfortably achieved.

Conclusion

- 6.13 Overall, the principle of an annexe in this location is acceptable, and the proposal represents no visual harm or detrimental impacts to neighbouring amenities.

Background Papers

None.

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