

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	27/09/18
Planning Development Manager authorisation:	AN	2/10/18
Admin checks / despatch completed	BR AP	2/10/18

Application: 18/01294/FUL **Town / Parish:** Wrabness Parish Council

Applicant: Mr John Acton

Address: Broadfields Primrose Hill Wrabness

Development: Replacement semi-detached dwellings and detached double garages.

1. Town / Parish Council

Wrabness Parish Council Supports application.

2. Consultation Responses

Tree & Landscape Officer
(Dated 30 August 2018)

There are no trees or other significant vegetation on the application site other than a single Laurel (*Prunus laurocerasus* 'Rotundifolia') on the boundary with the highway. This tree does not merit retention or protection by means of a tree preservation order.

The eastern boundary of the application site abuts Stour Wood and steps will need to be taken to ensure that no harm is caused to the trees within the wood and close to the application site.

Whilst it may not be necessary for the application to provide a full tree survey and report they should provide details of the way that the roots of the trees within Stour Wood will be physically protected for the duration of the construction phase of any development for which planning permission may be granted. This information should be in accordance with BS5837 2012 Trees in relation to design, demolition and construction: Recommendations

The site plan shows that a new laurel hedge is to be planted on the boundary with the highway. Details of the specification for this planting should be provided by the applicant prior to the determination of the application or secured by a condition.

Taking into account the rural location of the application site it may be preferable for the hedge to be planted with Hawthorn as this species would be more in keeping with the character of the area. There also appears to be sufficient space to accommodate 2 new trees in the soft landscaping; one either side of the proposed access in the line of the hedge; Field Maple or Mountain Ash would be acceptable species.

Tree & Landscape Officer
(Dated 6 September 2018
following submission of a
tree report)

The information contained in the tree report is sufficient to demonstrate that the development proposal could be implemented without causing harm to the trees on the application site and adjacent land.

The information relating to the hedge and tree planting is also

ECC Highways Dept

sufficient to secure a good boundary feature.

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

1 Prior to the first occupation of the proposed dwelling, the proposed vehicular access shall be constructed to a width of 5.5m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

Reason: To ensure that all vehicles using the private drive access do so in a controlled manner and to ensure that opposing vehicles may pass clear of the limits of the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2 No unbound materials shall be used in the surface treatment of the proposed vehicular access throughout.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

3 The existing access or any part of an access or dropped kerb rendered redundant or unnecessary by this development shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the re-instatement to full height of the highway verge/footway/kerbing to the specifications of the Highway Authority, immediately the proposed new accesses are brought into use.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway and to prevent indiscriminate access and parking on the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

4 The development shall not be occupied until such time as the car parking and turning area, indicated on the approved plans, has been hard surfaced and sealed. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

5 Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants of that development, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To promote the use of sustainable means of transport in

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

6 No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

7 Any new or proposed boundary hedge shall be planted a minimum of 1m back from the highway boundary and 1m behind any visibility splays which shall be maintained clear of the limits of the highway or visibility splays thereafter.

Reason: To ensure that the future outward growth of the hedge does not encroach upon the highway or interfere with the passage of users of the highway and to preserve the integrity of the highway, in the interests of highway safety in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

NOTE ** the proposed laurel hedging shown on the block plan drawing numbered 28-2018-02 is located on the highway verge and is not permitted and should be omitted from the scheme.

Informative1: The proposed turning facilities are totally reliant on self-management and the area being kept free from any obstructions requiring an open boundary between the two dwellings and the occupant's content with vehicles crossing the boundary line.

Informative2: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

3. Planning History

93/00743/FUL	Construct two storey wing on the north side and parapetsto existing two storey cottage	Approved	04.08.1993
05/01747/OUT	Demolition of existing house and replacement with 2no detached dwellings and double garages	Refused	30.11.2005
06/00568/OUT	Demolition of existing house and replacement with 2 no. semi-detached dwellings and double garages.	Refused	12.07.2006

07/01331/FUL	Demolition of existitng derelict dwelling and replacement with one detached house, with detached double garage.	Refused	03.10.2007
08/00074/FUL	Demolition of existing derelict dwelling and replacement with 1 No. detached house and detached double garage, and alterations to existing vehicular access.	Refused (Approved at appeal)	12.03.2008

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

EN1 Landscape Character

EN3 Coastal Protection Belt

EN5a Area Proposed as an Extension to the Suffolk Coast and Heath AONB

HG1 Housing Provision

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

LP1 Housing Supply

LP2 Housing Choice

LP4 Housing Layout

SP1 Presumption in Favour of Sustainable Development

PPL2 Coastal Protection Belt

PPL3 The Rural Landscape

SPL1 Managing Growth

SPL3 Sustainable Design

Local Planning Guidance

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. Paragraph 213 of the NPPF (2018) 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 48 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.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. 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 48 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.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing delivered over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line with the plan-led approach.

5. Officer Appraisal

Site Description

This application relates to an irregular shaped parcel of land on the eastern side of Primrose Hill, within the parish of Wrabness. The character of the surrounding area is semi-rural; to the north are scatterings of built form, whilst adjacent to the south is a detached two storey property constructed in weatherboarding. The wider character becomes far more rural however, with large areas of agricultural land to all sides. At the present time the site is in a state of disrepair, with steel fencing to the front west facing elevation and numerous building materials scattered across the site. The site is not situated within a recognised Settlement Development within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

Proposal

This application seeks planning permission for the erection of a pair of semi-detached dwellings, each with detached garages, to replace the previously implemented permission for one replacement dwelling (reference number 08/00074/FUL).

History

Under planning ref: 08/00074/FUL, planning permission was refused for the erection of one detached dwelling with a double garage following the demolition of the existing dwelling, on the grounds its size and height would be an intrusive and imposing feature, detrimental to visual amenity and the local character.

This decision was overturned at appeal stage (appeal ref: APP/P1560/A/08/2079919/WF). Following this decision, initial groundworks were carried out, as referenced by Building Control ref: 11/08374/IN, to ensure the permission had been implemented; however the submitted plans indicate that these works were never concluded due to the previous occupant suffering from financial issues.

Assessment

1. Principle of Development

Paragraph 79 (d) of the National Planning Policy Framework (2018) states planning policies and decisions should avoid the development of isolated homes in the countryside unless the development would involve the subdivision of an existing residential dwelling.

The proposal submitted would result in the replacement of the previously approved detached dwelling with a pair of semi-detached properties. The agent for the application has clarified within the submitted plans that the footprint of the two dwellings would be similar to that previously approved; the previous dimensions being 8.8m height, 18.8m width and a depth of 9.1m, and the proposed dimensions being 7.77m height, 19.7m width and 12.2m depth. Therefore in terms of the increased scale of the dwellings, given the dimensions are relatively similar there are no principle concerns. However, the previously approved scheme also included one detached garage, measuring 5.2m height, 5.8m width and 7.4m depth, whilst the proposal includes two detached garages measuring 6.2m height, 7.1m width and 7.4m depth. This is a significant increase to that previously considered acceptable. Therefore, in allowing this to be accepted, it would set a precedent that could result in significant harm to the open countryside and therefore the proposal must be considered as an additional dwelling sited outside of a recognised Settlement Development Boundary.

The site lies outside of the Settlement Development Boundary for Wrabness as defined by the adopted Tendring District Local Plan (2007) and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017). Saved Tendring District Local Plan (2007) Policy QL1 sets out that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan. These sentiments are carried forward in emerging Policy SPL1 of the Publication Draft.

- 5 year Housing Land Supply and Plan-led approach

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus a 5% or 20% buffer to ensure choice and competition in the market for land). If this is not possible, housing policies are to be considered out of date and the presumption in favour of sustainable development is engaged with applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not.

The Council can demonstrate, with robust evidence, a five-year supply of deliverable housing sites and this has been confirmed in recent appeal decisions. This is based on a housing requirement of 550 dwellings per annum which has been confirmed as sound by the Inspector for the Local Plan examination on 27 June 2018 (Examination of the Strategic Section 1 Plan - Meeting the Need for New Homes (Plan chapter 4)). Therefore policies for the supply of housing are not out of date and applications for housing development are to be determined in accordance with the Local Plan.

Therefore, having regard to the latest housing land supply figures and with the emerging Local Plan progressing well, officers consider that greater weight can be given to Section 3 (Plan-Making) of the NPPF. Under this section, paragraphs 15, 17 and 20 state that the planning system should be genuinely plan-led, must include strategic policies to address local planning authority's priorities for the development and use of land, and should set out an overall strategy for the pattern, scale and quality of housing development.

Emerging Policy SPL1 of the Publication Draft of the Local Plan 2017 includes a 'settlement hierarchy' aimed at categorising the district's towns and villages and providing a framework for directing development toward the most sustainable locations therefore being in line with the aims of the aforementioned paragraphs 15, 17 and 20 of the NPPF. This is the emerging policy equivalent to Saved Policy QL1 of the adopted Tendring District Local Plan 2007 which states that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan.

Wrabness is identified as a village within saved Policy QL1 of the adopted Tendring District Local Plan 2007 and is defined as a Smaller Rural Settlement within Policy SPL1 of the emerging Tendring District Local Plan Publication Draft (2017). These smaller villages are considered to be the least sustainable locations for growth and there is a concern that encouraging too much development in these areas will only serve to increase the number of people having to rely on cars to go about their everyday lives. It is accepted that each of these smaller rural settlements can achieve a small scale increase in housing stock over the plan period. To allow for this to happen, Settlement Development Boundaries have been drawn flexibly, where practical, to accommodate a range of sites both within and on the edge of villages and thus enabling them to be considered for small-scale residential 'infill' developments. With this in mind, where appropriate the emerging Local Plan settlement development boundary has been extended but does not include the application site.

It is accepted that one dwelling is acceptable in principle given the extant permission but the second dwelling must be assessed as a new dwelling in the countryside. In applying the NPPF's presumption in favour of sustainable development, the adverse impacts of the additional dwelling, both on the undeveloped character of the locality and on the Council's ability to manage growth through the plan-led approach, are not outweighed by the benefits. The development is unnecessary and there are no public benefits that might warrant the proposal being considered in an exceptional light. The proposal is therefore contrary to the aims of paragraphs 15, 17 and 20 of the NPPF and contrary to the development plan Saved Policy QL1 and emerging Policy SP1.

- Assessment of Sustainable Development

Officers consider that Saved Policy QL1 and emerging Policy SPL1 are in line with the aforementioned aims of the NPPF. However, until such time as the emerging local plan has been adopted, and for the purposes of completeness in assessing sustainable development, the 3 dimensions as set out under Paragraph 8 of the NPPF can be addressed as follows;

Economic:

Officers consider that the proposal would contribute economically to the area, for example by providing employment during the construction of the development and from future occupants utilising local services, and so meets the economic arm of sustainable development.

Social:

The NPPF seeks to support a prosperous rural economy. It promotes sustainable transport and seeks a balance in favour of sustainable transport modes to give people a real choice about how they travel recognising that opportunities to maximise solutions will vary between urban and rural areas. With regard to the social dimension, this means supporting strong, vibrant and healthy communities by supplying the housing required to meet the needs of present and future generations and creating a high quality environment with accessible local services.

The proposal site itself is detached, approximately 0.2 miles, from the Settlement Development Boundary of Wrabness, which is defined within Policy SPL1 as a Smaller Rural Settlement. In the Council's "Local Plan Settlement Hierarchy" document (April 2016) Wrabness is identified as a smaller rural settlement with no defined village centre, employment area, good bus route, primary school or GP surgery. Further, there are no footpaths or street lighting connecting the application site with the Wrabness settlement.

As a result the proposal is not considered to be sited within a socially sustainable location and would likely require the use of a private vehicle to complete everyday trips, thereby failing to accord with the social strand of sustainable development.

Environmental:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 127 of the The National Planning Policy Framework (2018) states that planning policies and decisions should ensure developments will add to the overall quality of the area, are visually attractive and are sympathetic to local character and history.

Policy QL9 and EN1 of the Tendring District Local Plan 2007 (Saved Plan) seeks to ensure that development is appropriate in its locality and does not harm the appearance of the landscape.

Policy EN3 of the Adopted Local Plan states development within a Coastal Protection Belt should not significantly harm the landscape character and quality of the undeveloped coastline. The sentiments of this policy are carried forward within Policy PPL2 within the Emerging Local Plan.

The proposed dwellings are to be sited within a semi-rural location which also forms part of a Coastal Protection Belt and is also within the proposed extension to an Area of Outstanding Natural Beauty. However it is acknowledged that the immediate surrounding area to the north and south sees a number of residential properties which the pair of semi-detached properties would be sited in line with. The site itself is currently in a poor state and it is noted that planning permission 08/00074/FUL, which is for a single dwelling with a similar scale and footprint to that being proposed, can be constructed regardless of the determination of this application. Therefore, on balance, there is not considered to be significant identifiable harm to the areas important character and the proposal meets the environmental strand of sustainability.

2. Design, Layout and Appearance

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).

The proposed dwellings are to be semi-detached, two storeys and sited to the south of 'Myskyns' along Primrose Hill. The dwellings will be accessed via a new access point created to the west of the site off Primrose Hill. The siting of the dwellings will be approximately in line with existing development to the north and south, sited in the same location to the detached dwelling previously approved, and will therefore help to build upon the existing building line. Therefore there is no identifiable harm with the dwellings proposed siting.

In terms of the design of the dwellings, they are symmetrical and include key features to help break up the bulk of the proposal, including chimneys, front and rear dormers, brick plinths and front gables. The use of red brick, cream render and clay tile will also be an acceptable use of materials.

The previously approved scheme included one detached garage, measuring 5.2m height, 5.8m width and 7.4m depth, which was to be sited to south-west of the site slightly set back from the highway. However, with regards to the two proposed detached garages, each are sited to the north-west and south-west corners of the site, measuring 6.2m in height, 7.1m in width and 7.4m in depth, and sited in close proximity to the boundary and highway. They will therefore appear overly prominent and out of keeping within the street scene to the serious detriment of the character of the area and visual amenity.

The previously approved scheme also included one detached garage, measuring 5.2m height, 5.8m width and 7.4m depth, whilst the proposal includes two detached garages measuring 6.2m height, 7.1m width and 7.4m depth. This is a significant increase to that previously considered acceptable.

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 information that has been supplied shows that this is comfortably achieved for both new dwellings.

3. Impact to Neighbouring Amenities

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).

Whilst the two dwellings will be visible to the existing residential properties to both the north and south, there is an approximate separation distance of 8.5m to both neighbouring boundaries, which will ensure no significant loss of light or the dwellings appearing imposing. In terms of potential overlooking, the dwellings have been designed to ensure that the only first floor side elevation windows are to serve an en-suite and bathroom, which would all be obscure glazed. The first floor rear elevation windows, all serving bedrooms, will not have views into the south-facing property's amenity area, whilst views to the north-facing property will be limited to the rear of the garden, an area less likely to be regularly occupied.

Therefore the impact to neighbouring amenities is considered acceptable.

4. Highways

Essex County Council Highways have been consulted as part of this application and have stated the proposal is acceptable subject to conditions relating to vehicular access width, the use of no unbound materials, the existing access point being permanently closed, a car parking and turning area, the inclusion of a Construction Method Statement and any boundary hedging to be planted 1m back from the highway boundary.

With regards to the boundary hedging condition, the Highway Authority state that the submitted Block Plan shows the Laurel Hedging on the highway verge, which is not permitted. However, whilst the condition would have been included within this decision had the application been recommended for approval, there is sufficient space to re-locate the laurel hedging with amended plans and therefore this in itself does not warrant a reason for refusal.

A further condition was recommended with regards to the storage of bicycles; however given the site has comfortably enough private amenity space this condition would not be imposed had the decision been one of approval.

Adopted Car Parking Standards state that for a dwelling of two or more bedrooms, provision should be made for a minimum of two parking spaces measuring 5.5m x 2.9m or a garage, if being used as one of the parking space, should have a minimum internal measurement of 7m x 3m. The submitted plans show the proposed garages do not accord with the above measurements; however there is sufficient space to the front of each dwelling to accommodate the necessary parking requirements.

5. Tree and Landscapes Impact

There are no trees or other significant vegetation on site beyond a single Laurel, which is located on the boundary of the highway. This however does not merit retention or protection by means of a tree preservation order.

The eastern boundary abuts Stour Wood and steps were required to ensure that no harm is caused to the trees within the wood and close to the application site. Accordingly a tree report was supplied by the agent for the application which included tree protection measures and new hedge and tree planting to the western boundary.

The information supplied within this tree report was sufficient to demonstrate the development can be implemented without causing harm to the trees on the site and adjacent land, whilst the planting proposed was sufficient to secure a good boundary feature.

Other Considerations

Wrabness Parish Council support the application.

There has been no other letters of representation received.

Conclusion

For the reasons set out above, the proposed development would be contrary to the aims and aspirations of the afore-mentioned policies and is therefore recommended for refusal.

6. Recommendation

Refusal.

7. Reasons for Refusal

- 1 The site lies outside of the Settlement Development Boundary for Wrabness as defined by the adopted Tendring District Local Plan (2007) and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017). Saved Tendring District Local Plan (2007) Policy QL1 sets out that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan. These sentiments are carried forward in emerging Policy SPL1 of the Publication Draft.

The Council can demonstrate, with robust evidence, a five-year supply of deliverable housing sites and this has been confirmed in recent appeal decisions. This is based on a housing requirement of 550 dwellings per annum which has been confirmed as sound by the Inspector for the Local Plan examination on 27 June 2018 (Examination of the Strategic Section 1 Plan - Meeting the Need for New Homes (Plan chapter 4)). Therefore policies for the supply of housing are not out of date and applications for housing development are to be determined in accordance with the Local Plan.

Therefore, having regard to the latest housing land supply figures and with the emerging Local Plan progressing well, officers consider that greater weight can be given to Section 3

(Plan-Making) of the NPPF. Under this section, paragraphs 15, 17 and 20 state that the planning system should be genuinely plan-led, must include strategic policies to address local planning authority's priorities for the development and use of land, and should set out an overall strategy for the pattern, scale and quality of housing development.

Emerging Policy SPL1 of the Publication Draft of the Local Plan 2017 includes a 'settlement hierarchy' aimed at categorising the district's towns and villages and providing a framework for directing development toward the most sustainable locations therefore being in line with the aims of the aforementioned paragraphs 15, 17 and 20 of the NPPF. This is the emerging policy equivalent to Saved Policy QL1 of the adopted Tendring District Local Plan 2007 which states that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan.

Wrabness is identified as a village within saved Policy QL1 of the adopted Tendring District Local Plan 2007 and is defined as a Smaller Rural Settlement within Policy SPL1 of the emerging Tendring District Local Plan Publication Draft (2017). These smaller villages are considered to be the least sustainable locations for growth and there is a concern that encouraging too much development in these areas will only serve to increase the number of people having to rely on cars to go about their everyday lives. It is accepted that each of these smaller rural settlements can achieve a small scale increase in housing stock over the plan period. To allow for this to happen, Settlement Development Boundaries have been drawn flexibly, where practical, to accommodate a range of sites both within and on the edge of villages and thus enabling them to be considered for small-scale residential 'infill' developments. With this in mind, where appropriate the emerging Local Plan settlement development boundary has been extended but does not include the application site.

The proposal site itself is detached, approximately 0.2 miles, from the Settlement Development Boundary of Wrabness, which is defined within Policy SPL1 as a Smaller Rural Settlement. In the Council's "Local Plan Settlement Hierarchy" document (April 2016) Wrabness is identified as a smaller rural settlement with no defined village centre, employment area, good bus route, primary school or GP surgery. Further, there are no footpaths or street lighting connecting the application site with the Wrabness settlement.

It is accepted that one dwelling is acceptable in principle given the extant permission but the second dwelling must be assessed as a new dwelling in the countryside. In applying the NPPF's presumption in favour of sustainable development, the adverse impacts of the proposal, both on the undeveloped character of the locality and on the Council's ability to manage growth through the plan-led approach, are not outweighed by the benefits. The development is unnecessary and there are no public benefits that might warrant the proposal being considered in an exceptional light. The proposal is therefore contrary to the aims of paragraphs 15, 17 and 20 of the NPPF and contrary to the development plan Saved Policy QL1 and emerging Policy SP1.

- 2 The National Planning Policy Framework (2018) paragraph 127 seeks to ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting.

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).

With regards to the two detached garages, each are sited to the north-west and south-west corners of the site. Measuring 6.1m in height, sited in close proximity to the boundary and highway, and located adjacent to a residential property with an approximate height of 5m, they will appear overly prominent and out of keeping within the street scene to the serious detriment of the character of the area and visual amenity.

The proposal therefore fails to accord with the aspirations of the policies above.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.