

TENDRING DISTRICT COUNCIL

PLANNING COMMITTEE

ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE

13TH NOVEMBER 2018

Agenda Item A.1

17/02162/OUT – Land to The South of Thorpe Road Weeley CO16 9AJ

Outline planning application with all matters reserved, except for access, for 280 dwellings, a 2 Form of Entry primary school, 56 place early years nursery, up to 3000 sqm of office (B1) buildings on 1 hectare and associated ancillary buildings, drainage systems, boundary treatments and hard surfacing as well as public open space, vehicular access from Thorpe Road a pedestrian footbridge and the closure of existing level crossing and formal diversion of public footpath No 5 - Weeley, over the new railway bridge.

3 letters of objection have been received which raises the following issues:

- The application should not be referred back to Planning Committee a decision was made by Members of the Planning Committee in August 2018.
- The development would be a substantial. Monstrous development increasing its size by almost 60%
- Site is presently countryside and much needed agricultural land
- Granting this application would be pre-determining decisions regarding the scale and location of development in Weeley
- Would result in a disproportionate amount of development over a relatively short phase and particularly at this site, which has such historical and ecological significance for the area.
- A refusal based on prematurity would accord with the Revised NPPF since both elements of Paragraph 49 are met.
- Granting this application would be predetermining decisions regarding the scale and location of development in Weeley, particularly as Development South of Thorpe Road, Weeley (Policy SAMU5) has been identified by the Council as the third most important issue that the Inspector will want to considered as part of the Examination.
- Proposal would urbanise Weeley, destroying its historical rural identity and causing mayhem on surrounding B-roads and lanes.
- Area does not have the adequate infrastructure required to support this development in terms of traffic and transport issues, drainage problems and the lack of adequate healthcare.
- The report is misleading in relation to the housing register; there are only 27 households that want to live exclusively in Weeley. It is not specifically in great demand. The majority of people opt for broad areas within the district by selecting a number of villages/towns in which they would be prepared to live.
- There is no need at all to determine this application, the Council now has a 5 year housing supply of 5.66 years
- Query why the residents of Barleyfields have not been informed as this proposed directly affects them and they should be allowed to voice their opinion
- Were told a maximum of 20 houses would be built

An additional letter received from Holmes and Hills the solicitors acting on behalf of the applicant which reiterates the following points:

- Parliament has given to the Council the power to determine planning applications and accordingly as a matter of law it should do so having regard to the merits of those applications.
- If it fails to do so, then Rose Builders can and in this case will, appeal and as part of any appeal process the Council will need to firstly explain why it did not determine the planning application and then to provide justifiable planning reasons for why planning permission should not be granted.
- The merits of this proposal have been carefully considered by officers and we would contend that their analysis is correct. To refuse the application on grounds of prematurity would almost certainly at appeal regarded as unreasonable conduct likely to lead to an award of costs.
- The development for this site for residential development accords with the Vision and Strategy of your emerging Local Plan and indeed is an allocated site.
- The simply reality of the position is that there is a need for more housing within the district particularly affordable housing. This development delivers both and further provides the opportunity for a new primary school and nursery for the village together with employment land offering the opportunity for new jobs. The development as such is a balanced mixed use scheme that would offer a well-designed thought through extension to Weeley.

These letters are not considered to raise any issues which are not dealt with in the Officer Report.

Agenda Item - A.3

17/01181/OUT – Land to The South of Long Road and to West of Clacton Road Mistley CO11 2HN

Outline application with all matters reserved, other than strategic access points onto the public highway, for the erection of up to 485 dwellings, up to 2 hectares of employment land (A2/A3/B1/B2; B8; D1 uses), with associated public open space and infrastructure.

An addition letter has been received from Cllr Andy Baker which raises the following concerns:

- The proposed development is in Mistley, it is likely to have a greater effect on the residents in Lawford due to the nearest primary schools being located there, the only secondary school being located there, as well as the nearest Doctors Surgery.
- There will be a significant impact on the already huge numbers of vehicles using Long Road, to access the A137 into Colchester, or Coxs Hill to travel North, using the railway crossing at Manningtree Station, towards Ipswich and beyond.
- The roads are already extremely busy, and any further development, will add to the 700 to 950 vehicles using Wignall Street (Eastbound) in the AM peak, the 940 to 1,080 vehicles using Long Road (Westbound) in the AM peak, and the 1,027 to 1,100 vehicles using Coxs Hill in the AM peak. These figures have been taken from the data supplied from the Vehicle Activated Sign (VAS) owned and operated by Lawford Parish Council at various locations within the Parish.
- Mistley had a total of 1,279 homes in 2014, and since then 714 homes have been granted planning permission, an increase of 55.82% in housing stock. This figure takes into account the 300 homes that have already been approved for this site.

- If this application were to be approved, then the population will increase by a minimum of 76%.
- Lawford Surgery is situated at the beginning of a residential street (Edgefield Avenue) in a bungalow surrounded by other bungalows, and a small number of houses, to the Northeast, and with a very small car park, which accommodates at the most 8 to 10 vehicles. It is considered that the property is unable to be extended at all due to its size and location and the potential demand on the this particular GP Practice has not been properly recognised by NHS England.
- Requests that Officers recommendation of approved is not accepted and the application refused.

Bradfield Parish Council retain an objection to the application on the following grounds:

- This development is of a density more akin to city suburb, not the rural setting that its construction will destroy. This along with all the other large development projects across the region will put unsustainable pressure on the local infrastructure.
- There are already queues at Horsley Cross roundabout and Coxs Hill and Manningtree Station crossing already causes gridlock during peak times.
- There is no room on the trains and no spaces in the Manningtree railway station carpark.
- The local primary and secondary schools are at capacity.
- The GP surgeries and Colchester Hospital are at capacity.
- The majority of the houses planned are beyond the reach of many local people.
- Tendring can now show a 6.2 year supply of housing.

Lawford Parish Council reiterate it's objection to this proposed development for the following reasons:

- The development is outside the village envelope, it will destroy the village nature of the area.
- The roads, schools and doctors are already over capacity.
- The district of Tendring has enough houses to meet local plan needs.
- Traffic will greatly increase onto Bromley Road, which will be additional to that which will be created by the already started Rose development and will add to the existing excessive congestion on Cox's Hill

The issues identified above have been dealt with in the Officer Report and do not raise any further issues.

Amendment to Report

Paragraphs 1.2 and 6.11 of the Officer Report should refer to 485 dwellings rather than 500.

Amended to Recommendation

Updated comments from the Housing Department have been received as a result of the reduction in number of dwellings proposed. It is therefore advised that Section A of the recommendation is amended in respect of on-site Council Housing/Affordable Housing to *18 gifted units and 55 affordable homes*. This also updates the information provided at paragraph 6.63.

Agenda Item A.5

18/01281/DETAIL – Land at The Junction of Heath Road and Parsonage Lane Tendring CO16 0DE

Alternative design to 17/01254/DETAIL incorporating changes to fenestration to all five plots to include removal of triangular windows, insertion of second floor rear Juliette balconies and insertion of rooflights; changes to facing materials on plots; and creation of second floor living accommodation within the roof space of all five plots.

Amended set of recommended conditions:

- Approved plans
- Implementation of approved landscaping scheme
- Visibility Splays 2.4m x 34 in both directions to access
- Pedestrian Visibility Splays 1.5 m in both directions to access
- Parking and Turning area prior to occupation
- No unbound materials within the first 6 metres of the access
- Private drive specification

AGENDA ITEM A.7

18/01571/OUT

Land east of Pork Lane, Great Holland, CO13 0JE

Erection of 5 dwellings

Additional representation:

Great Holland Residents Association have written a letter of objection as the site falls outside of a recognised settlement boundary and would represent backland development.

Open Space Contribution:

The Council's Public Open Space Team have been consulted and have stated the following:

"The nearest play area is situated in Great Holland, located within a short distance from the purposed development site. This is the only play area in Great Holland, any additional development in the area will increase demand on this facility and a contribution towards upgrading existing or providing a new piece of equipment would be required at this site."

Accordingly the recommendation for this application is to be amended as follows:

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):
 - Financial contribution towards public open space.
- b) Planning conditions in accordance with those set out in the committee report (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).
- c) That the Head of Planning (or the equivalent authorised officer) be authorised to refuse planning permission a) in the event that such legal agreement has not been

completed within the period of 6 (six) months, as the requirements necessary to make the development acceptable in planning terms had not been secured through a s106 planning obligation.

Additional representation:

One additional letter of objection has been received from a local resident, highlighting the following concerns:

- Site is outside of a Settlement Development Boundary;
- The access point will be dangerous due to the 60mph speed limit;
- Flooding concerns;
- Site is not socially sustainable;
- Impacts to local highway network;
- Query regarding if there is sufficient off-street parking; and
- Impacts to neighbours.

In answer to this, the majority of the points raised have been addressed within the main body of the report. An additional flood related issue has been raised; however the site does not fall within a recognised flood zone.

Agenda Item A.8

18/00379/OUT – 820 St Johns Road Clacton On Sea CO16 8BS

Outline application for proposed residential development of 11 dwellings including replacement of existing dwelling (following demolition of 824 St Johns Road).

With the approval of the Chairman of the Planning Committee (Councillor White) this application will not now be considered at the meeting. This is due to the fact that the applicant has withdrawn their amended proposals as they have decided to revert back to a previous proposal for 14 dwellings on the site, which was approved by Members at the last meeting subject to a section 106 legal agreement, for affordable housing and public open space.

Agenda Item A.9

18/01693/FUL - 34 Low Road Dovercourt CO12 3TS

Proposed single storey side extension.

Additional comments from the applicant in response to the objections raised have been received and have been summarised below;

- Proposal is in line with the Essex Design Guide in terms of potential loss of light. (An extract of the Essex Design Guide has been provided)
- There are no windows facing the neighbour and therefore no loss of privacy will result from this proposal.
- Whilst the proposal is contrary to Policy HG14 (extract attached) it would not result in a detrimental impact visually or to residential amenities.