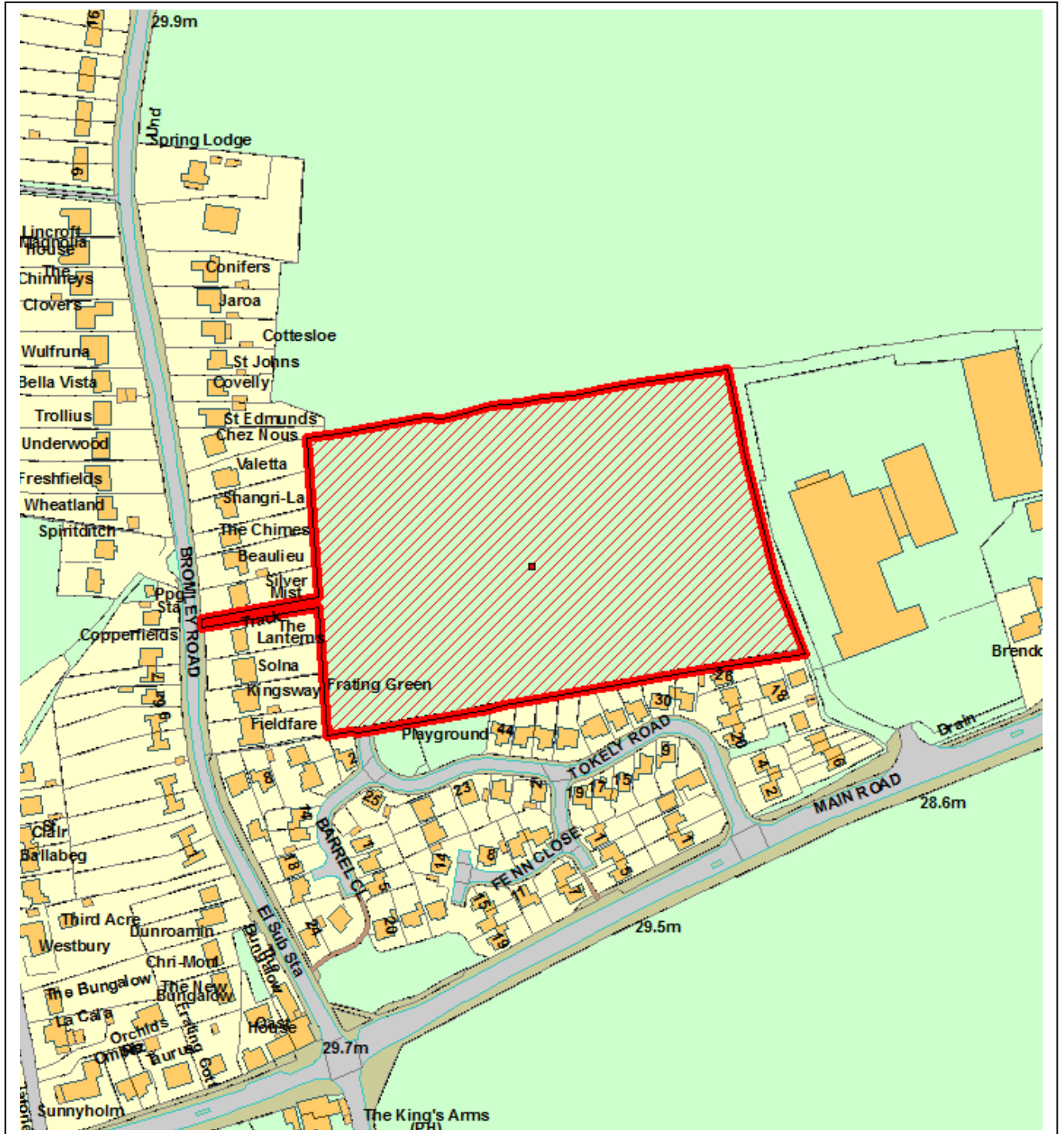


PLANNING COMMITTEE

15 January 2019

REPORT OF THE HEAD OF PLANNING

A.2 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 CO7 7GA	
Development:	Erection of 67 dwellings	

On 26th June 2018, the Planning Committee resolved to grant planning permission for the above development, subject to the completion of a S106 agreement and a series of planning conditions as set out below. Following the Planning Committee's decision there has been positive progress in preparing the S106 agreement, which now includes necessary additional requirements and it is nearing completion.

Originally the Planning Committee gave until 26th December 2018 for the S106 agreement to be completed; the reason for this report is to request a further two months until 26th February 2019 to allow for the completion of the S106 agreement.

The original report to the Planning Committee on 26th June 2018 is replicated below with the relevant updated indicated in bold.

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) **By 26th February 2019** 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
 - **Provision of** Open space and open space maintenance contributions
 - Children's play space contribution
 - Education Contribution – **a financial contribution of £311,732 towards local primary provision; £315,710 towards secondary school provision and £48,399 towards secondary school transport costs**
 - **Healthcare – a financial contribution of £23,667**
- 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/carriageway 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	Approved	01.12.2016

14/01371/OUT) relating to a residential development of 49 dwellings.

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.

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

A development of this size can be expected to generate the need for up to 6.1 early years & childcare (EY&C), 20.4 primary school, and 13.6 secondary school places.

Early Years and Childcare

The proposed development falls within the Thorrington, Frating, Elmstead and Great Bromley ward. There are 8 childcare providers in this ward (5 childminders and 3 preschools). As of summer 2017 the data showed that there were 12 vacant places within the pre-schools, we would therefore not request a contribution on this occasion.

Primary Education

The village of Frating does not have its own primary or secondary school, however, this development sits within the priority admissions area of Great Bentley Primary School which has 210 places. The School is full and, according to the forecasts included in the Essex County Council document

'Commissioning School Places in Essex 2017-2022', 62 additional spaces will be required for the academic year 2021/22. There are a number of other schools that are a similar distance from Frating included Alresford, Elmstead and St Georges (Gt Bromley) primary schools, that are part of the Tendring Group 3, school place planning area. Across the group, a need for 125 additional places is forecast.

An additional 20.4 places would be provided at an estimated total cost of £311,732 at April 2018 prices. This equates to £15,281 per place and so, based on demand generated by this proposal set out above, a developer contribution of £311,732, index linked to April 2018, is sought to mitigate its impact on local primary provision.

Secondary Education

For secondary school education, the proposed development is located within the priority admissions area of Colne Community School which has capacity for 1,488 pupils. The School is experiencing growth in demand and fills in Year 7. According to Commissioning School Places in Essex, by the academic year commencing September 2021 it will require 99 additional places. Looking across the Tendring district as a whole, by the same year, 436 additional places are forecast to be needed. As set out in Essex County Council's '10 Year Plan' to meet the demand for school places, a project to expand Colne Community School is being considered for September 2019.

An additional 13.6 places would be provided at an estimated total cost of £315,710 at April 2018 prices. This equates to £23,214 per place and so, based on demand generated by this proposal set out above, a developer contribution of £315,710, index linked to April 2018, is sought to mitigate its impact on secondary provision.

The secondary school is in excess of the statutory walking distance from the proposed development and therefore ECC is obliged to provide free transport to the school resulting in long term cost to ECC. The cost is estimated £3.65 per pupil for secondary school transport for 195 days per year; an academic year. It is the practice of Essex County Council to seek costs for a 5 year period. Based on 13.6 pupils the transport contribution would be £48,399, index linked to April 2017.

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.

NHS England

It is noted that the full application shows an increase in the number of dwellings from the outline application and therefore North East Essex CCG has re-assessed the Assessment of Development Impact on Existing Healthcare Provision.

The proposed development is likely to have an impact on the services of 1 GP practice operating within the vicinity of the application site. This GP practice does not have capacity for the additional growth resulting from this development. The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. North East Essex CCG would therefore expect these impacts to be fully assessed and mitigated.

The development could generate approximately 150 residents and subsequently increase demand upon existing constrained services.

The development would give rise to a need for improvements to capacity, in line with emerging CCG Estates Strategy, by way of refurbishment, reconfiguration, extension, or potential relocation or through other solutions that address capacity and increased demand via digital solutions or health and wellbeing initiatives at The Hollies, The Green, Great Bentley; a proportion of the cost of which would need to be met by the developer.

NHS England calculates the level of contribution required, in this instance to be £23,667. Payment should be made before the development commences.

UU Housing Consultation 30% Affordable Housing agreed

UU - Open Space Consultation Contribution required in respect of play-space provision.

5. Representations

1.7 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.

1.8 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.

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

1.10 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.

1.11 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.

1.12 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.

1.13 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.

1.14 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

- 1.15 The application site comprises an agricultural field measuring approximately 2.76 hectares in area.
- 1.16 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.
- 1.17 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.
- 1.18 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

- 1.19 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

- 1.20 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

1.21 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

1.22 The main planning considerations are:

1.23 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

1.24 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.

- 1.25 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.
- 1.26 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.
- 1.27 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.
- 1.28 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

- 1.29 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.
- 1.30 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

- 1.31 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.

- 1.32 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

- 1.33 The Highway Authority has determined that the impact of development on the surrounding highway network would be acceptable.
- 1.34 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.
- 1.35 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

- 1.36 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.
- 1.37 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

- 1.38 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

- 1.39 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.
- 1.40 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.