

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	09/05/2019
Planning Development Manager authorisation:	AN	09/05/19
Admin checks / despatch completed	DN	9/5/19

Application: 19/00367/FUL **Town / Parish:** Wrabness Parish Council

Applicant: Mr and Mrs S Purse

Address: The Priory Harwich Road Wrabness

Development: Proposed 4 no. four-bed detached dwellings with garages, amendment to existing access road plus provision of turning head.

1. Town / Parish Council

Wrabness Parish Council The proposal is contrary to the published Tendring District Local Plan. The proposed housing development is located well beyond the settlement limits for Wrabness and due to remoteness from village services is not a sustainable location for residential development. The proposed dwellings and the related highway proposals would intrude into the open countryside to the detriment of the local environment and create a precedent for further sporadic unsustainable housing development elsewhere along Harwich Road.

2. Consultation Responses

UU Open Spaces

Response from Public Realm
Open Space & Play

Application Details

Application No: 19/00367/FUL

Site Address: The Priory Harwich Road Wrabness Manningtree

Description of Development: Proposed 4 no. four-bed detached dwellings with garages, amendment to existing access road plus provisions of turning head.

Current Position

There is currently a deficit of 0.30 hectares of play and formal open space in Wrabness.

There is one play space in Wrabness, located at Rectory Road. The play space is classified as a Local Equipped Area for Play. This play area will need up dating to cope with any additional development.

Recommendation

Due to the lack of play facilities in the village, a contribution towards play is both justified and relevant to this planning application. The contribution would be used to improve and update the current facilities at Rectory Road Wrabness.

Tree & Landscape Officer The application site is set to grass with a row of trees on the northern boundary adjacent to the highway. It appears from the layout provided that the development of the land is possible without causing harm to the trees and that their retention would provide valuable screening.

It may not be necessary for the applicant to provide a detailed Arboricultural Impact Assessment (AIA) as long as they show that the development will not encroach into the Root Protection Areas (RPAs) of retained trees. The applicant has stated in section 3:30 of their Planning Statement that these trees will be retained and it appears to be the case that their removal is not required implement the development proposal. Nevertheless the applicant has not provided evidence to show that this is the case.

If planning permission is likely to be granted then details of the physical protection of the trees during the construction period of the development should be secured by condition. The information should be in accordance with BS5837 2012 Trees in relation to designs, demolition and construction: Recommendations.

In terms of the impact of the development of the land on the character and appearance of the countryside, and notwithstanding the screening benefit of the existing trees, it is considered that the intensification of ribbon development would be undesirable and would detract from the rural character of the local environs.

Details of the indication soft landscaping shown on the site layout plan should be secured by condition.

Building Control and
Access Officer No adverse comments at this time.

Natural England Consultation with Natural England is not required in this instance as the scale of the development falls under the threshold.

ECC Highways Dept
ORIGINAL COMMENTS A site visit has been undertaken and the information that was submitted in association with the application has been fully considered by the Highway Authority.

The proposal is utilising the existing vehicle access to The Priory. A previous application for the identical number of dwellings under 18/01699/FUL was received in 2018 and Highways responded with a conditional approval, therefore

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

Prior to the first occupation of the development, the proposed Private Drive at its bell-mouth junction with Harwich Road shall be provided with 6.0m.radius kerbs returned to an access road carriageway width of 5.5m with a flanking footway 2m. in width returned around the eastern radius kerbs to the external tangent.

Reason: To ensure that all vehicular traffic using the junction may do so in a controlled manner and to provide adequate segregated pedestrian access, in the interests of highway safety and in accordance with Policy DM 1 and 6.

Prior to the occupation of any of the proposed development the internal road and footway layout shall be provided in accord with

Drawing Number 114/S0/01/B.

Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM 1.

Prior to the proposed Private Access Drive being brought into use, vehicular visibility splays of site maximum eastwards by 2.4m as measured along, from and along the nearside edge of the carriageway, shall be provided from the centre line of the access and shall be retained and maintained free from obstruction clear to ground thereafter.

Reason: To ensure adequate inter-visibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety and in accordance with Policy DM 1.

No unbound materials shall be used in the surface treatment of the proposed Private Drive within 10m of the highway boundary.

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.

All single garages should have a minimum internal measurement of 7m x 3m.

Reason: To encourage the use of garages for their intended purpose and to discourage on-street parking, in the interests of highway safety and in accordance with Policy DM8.

Each tandem vehicular parking space shall have minimum dimensions of 2.9 metres x 11 metres to accommodate two vehicles.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8

The Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

Prior to occupation of the proposed dwelling, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator to each dwelling free of charge..

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10.

Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway/carriageway (delete as appropriate).

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative 1: There shall be no discharge of surface water onto the Highway.

Informative 2: Steps should be taken to ensure that the Developer provides sufficient turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

Informative 3: 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.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

Informative 4: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority."

Informative 5: The rural/remote location of the site is such that access to key facilities, public transport, employment and leisure opportunities is limited and for the vast majority of journeys the only practical option would be the car. This should be taken in to consideration by the Planning Authority when assessing the overall sustainability and acceptability of the site.

Note:

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

ECC Highways Dept
AMENDED COMMENTS

A site visit has been undertaken and the information that was submitted in association with the application has been fully considered by the Highway Authority.

The proposal is utilising the existing vehicle access to The Priory. A previous application for the identical number of dwellings under 18/01699/FUL was received in 2018 and Highways responded with a conditional approval, therefore

From a highway and transportation perspective the impact of the

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1. Prior to the first occupation of the development, the proposed Private Drive at its bell-mouth junction with Harwich Road shall be provided with 6.0m radius kerbs returned to an access road carriageway width of 5.5m with a flanking footway 2m in width returned around the eastern radius kerbs to the external tangent to tie into proposed footway.

Reason: To ensure that all vehicular traffic using the junction may do so in a controlled manner and to provide adequate segregated pedestrian access, in the interests of highway safety and in accordance with Policy DM 1 and 6.

2. Prior to first occupation the provision of the following will be required:

A 1.5 metre wide footway from the western side of the proposed junction to the existing bus stop on Harwich Road.

(Continued.....)

Reason: To make adequate provision within the highway for access to the existing bus stop as a result of the proposed development.

3. Prior to the occupation of any of the proposed development the internal road and footway layout shall be provided in accord with Drawing Number 114/S0/01/B.

Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM 1.

4. Prior to the proposed Private Access Drive being brought into use, vehicular visibility splays of site maximum eastwards by 2.4m as measured along, from and along the nearside edge of the carriageway, shall be provided from the centre line of the access and shall be retained and maintained free from obstruction clear to ground thereafter.

Reason: To ensure adequate inter-visibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety and in accordance with Policy DM 1.

5. No unbound materials shall be used in the surface treatment of the proposed Private Drive within 10m of the highway boundary.

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.

6. All single garages should have a minimum internal measurement of 7m x 3m.

Reason: To encourage the use of garages for their intended purpose and to discourage on-street parking, in the interests of highway safety and in accordance with Policy DM8.

7. Each tandem vehicular parking space shall have minimum dimensions of 2.9 metres x 11 metres to accommodate two vehicles.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8

8. The Cycle parking shall be provided in accordance with the

EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

9. Prior to occupation of the proposed dwelling, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator to each dwelling free of charge..

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10.

10. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway/carrageway (delete as appropriate).

(Continued....)

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

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Informative 4: The rural/remote location of the site is such that access to key facilities, public transport, employment and leisure opportunities is limited and for the vast majority of journeys the only practical option would be the car. This should be taken in to consideration by the Planning Authority when assessing the overall sustainability and acceptability of the site.

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Note:

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

3. Planning History

97/00051/FUL	() Extension to existing building to provide guest bedrooms above shower/w.c. utility room for use in association with proposed change of use of adjacent land to touring caravan/camping site	Refused	25.03.1997
97/00052/FUL	(The Wheatsheaf P.H., Harwich Road, Wrabness) Extensions and alterations to existing building to provide enlarged restaurant and kitchen and provision of guest bedrooms	Approved	04.03.1997
97/01529/FUL	(The Wheatsheaf Public House, Harwich Road, Wrabness) Extensions and alterations to existing building to provide enlarged restaurant and kitchen and provision of guest bedrooms (revision of TEN/97/0052)	Approved	27.01.1998
97/01530/FUL	() Extension to existing building to provide guest bedrooms above shower/WC and utility room for use in association with proposed change of use of adjacent land to touring caravan/camping site	Refused	02.06.1998
99/01764/FUL	Proposed change of use from public house to dwelling	Approved	27.01.2000
00/01703/FUL	Proposed extension to kitchen at ground floor and bedroom and bathroom extension at first floor rear	Approved	22.11.2000
03/01794/AGRIC	Steel portal frame for potato/grain store	Determination	30.09.2003

08/01687/AGRIC	Erection of 4 bay hay barn.		22.12.2008
09/00005/AGRIC	4 bay hay barn for the storage of crops.	Determination	02.02.2009
10/01216/FUL	Single storey rear extension for private use.	Approved	10.12.2010
17/01838/FUL	Proposed single storey rear extension - to form living room & bedroom.	Approved	18.12.2017
18/30151/PREAPP	Proposed erection of four 4no. bedroom homes each with a garage and parking space for 2no. cars. New roadway and pedestrian access, including turning space.	Refused	07.09.2018
18/01699/FUL	Erection of 4no four bedroom detached dwellings with garages. Amendments to existing access road with provision of turning head.	Refused	14.01.2019
19/00071/NMA	Non material amendment to planning application 17/01838/FUL - Alteration of roof from flat to "lean-to" style connecting to existing house and reduction of depth of proposal.	Approved	07.02.2019

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG1 Housing Provision

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

EN1 Landscape Character

COM6 Provision of Recreational Open Space for New Residential Development

- TR1A Development Affecting Highways
- TR7 Vehicle Parking at New Development
- EN11A Protection of International Sites European Sites and RAMSAR Sites
- Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
- SP1 Presumption in Favour of Sustainable Development
- SPL1 Managing Growth
- SPL3 Sustainable Design
- LP1 Housing Supply
- LP2 Housing Choice
- LP3 Housing Density and Standards
- LP4 Housing Layout
- PPL3 The Rural Landscape
- HP5 Open Space, Sports & Recreation Facilities
- CP1 Sustainable Transport and Accessibility
- CP2 Improving the Transport Network
- PPL4 Biodiversity and Geodiversity

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Essex Design Guide

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 supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination In Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application relates to the property known as The Priory located to the south-west of Wrabness on the southern side of Harwich Road. The Priory fronts Harwich Road with an existing vehicular access at the side of the main dwelling. There is a further access to the west of the property. The occupants of the donor property park to the rear alongside an existing former agricultural building which is used for storage. The donor dwelling has its clearly defined curtilage to the front, sides and rear and alongside on the western side is a rectangular portion of land set back from the road and fenced. This comprises the application site.

The application site extends approximately 0.31 hectares in size and is defined by a mature tree boundary to the frontage close to the road. The site will be served by the existing vehicular access on the western side.

The site lies outside of the Settlement Development Boundary as defined by the adopted Tendring District Local Plan (2007) and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017). The proposed extension to the Suffolk Coastal and Heaths Area of Outstanding Natural Beauty lies opposite.

Description of Proposal

The application seeks full planning permission for the erection of 4 no. four bedroom detached dwellings with garages together with amendments to the existing access road and provision of a turning head.

This application follows a previous refusal for a similar development under reference 18/01699/FUL now subject of an appeal in progress.

This current application incorporates a reduction in scale of the dwellings, a simplified detailed design and an amendment to the layout to reflect the requirements of the Highway Authority (garage relocated).

Assessment

The main considerations in this instance are;

- Principle of Development;
- Layout, Scale and Landscape Impact;
- Trees and Landscaping;
- Highway Safety and Parking;
- Residential Amenities;
- Financial Contribution – RAMS;
- Financial Contribution – Open/Play Space; and,
- Representations.

Principle of Development

The site lies outside of the Settlement Development Boundary 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 National Planning Policy Framework 2019 (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 report, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination in Public of the Local plan. There are therefore significant doubts about the validity or extent of any housing supply 'deficit', albeit the tilted balance applies. This minimises the reduction in weight to conflict with Policy QL1, as per the Hallam Land judgement, especially in view of the fact that the Council has considerably increased its housing delivery figures in recent years.

Whilst it is recognised that there would be conflict with Saved Policy QL1 and Emerging Policy SPL1 in terms of the site being sited outside the settlement development boundary, as stated above, in the context of the 5 year housing land supply paragraph 11 d) of the NPPF requires applications for housing development to be assessed on their merits, whether sites are allocated for development in the Local Plan or not and it is important to consider whether any circumstances outweigh this conflict. Therefore, at this present time, it is correct to assess the housing development on its merits against the sustainable development objectives set out within Paragraph 8 of the NPPF. The economic objective, a social objective and an environmental objective are therefore assessed below.

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 services within the district, and so meets the economic arm of sustainable development.

Social:

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. 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.

Wrabness is categorised within emerging Policy SPL1 as a 'Smaller Rural Settlement' in recognition of its size and small range of local services. 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 or extend close to its locality.

In this instance, the application site is located approximately 1.5 km from the edge of the settlement boundary of Wrabness with its already limited range of services and amenities. In this regard, there is no access to day to day needs within a practical walking distance and the conditions are unsafe on these country roads with little to no footpaths or street lighting. Any social sustainability credentials of the site are severely diminished due to its distance from the built up area of Wrabness which already has limited local services. Whilst it is recognised that there is a bus stop in close proximity of the site with services to Manningtree, it is highly likely that the occupants of the proposed dwellings would be car dependant failing to promote sustainable modes of transport therefore failing to meet the social strand of sustainable development.

For the reasons set out above the proposal is considered to fail the social objective. This together with the conflict with Saved Policy QL1 of the adopted plan and emerging Policy SPL1 amounts to an unsustainable form of development.

Environmental:

The environmental role is about contributing to protecting and enhancing the natural built which is considered below under the heading Layout, Scale, Character and Appearance.

Layout, Scale and Appearance

Paragraph 8 of the National Planning Policy Framework 2019 (NPPF) sets out the overarching objectives for achieving sustainable development, one being the environmental objective which requires the planning system to contribute to protecting and enhancing our natural, built and historic environment. Furthermore, Paragraph 127 of the NPPF requires that development should respond to local character and history, and reflect the identity of local surroundings. It goes on to say that local distinctiveness should be promoted and reinforced. Saved Policy QL9 and EN1 of the Tendring District Local Plan (2007) and Policy SPL3 and PPL3 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) seeks to ensure that development is appropriate in its locality and does not harm the appearance of the landscape.

Although the site could not be described as wholly isolated due to the presence of The Priory and other built form opposite and to the north-west, the overall character of the area is rural in nature being dominated by open fields and agricultural land and buildings. Examples of residential dwellings in the locality are sporadic, modest and rural in character.

The scale of the dwellings in combination with the density of the development are wholly inappropriate and out of character with the area resulting in an uncharacteristic relationship between dwellings at odds with its existing dispersed character. Placing 4 dwellings on the site would result in a reduction in the factors that contribute to its landscape character, including spaciousness between dwellings and openness. Furthermore, the inward facing layout of the dwellings is wholly out of character where the few examples of dwellings in the vicinity address the

main road. In addition, 4 dwellings of very similar design lack interest and variation, resulting in a bland and urban development failing to reflect local surroundings or distinctiveness.

The development would create an incongruous and imposing development to the severe detriment of the rural character of the area. The development represents an unplanned advance of urbanisation into the countryside eroding the rural character resulting in a detrimental impact upon the rural landscape and views from and into the proposed extension of Suffolk Coastal and Heaths Area of Outstanding Natural Beauty which lies opposite. In applying the NPPF's presumption in favour of sustainable development, the adverse environmental impacts of the proposal on the character of the locality are not outweighed by any benefits. The landscape impact is further addressed below under 'Trees and Landscaping'.

Trees and Landscaping

The Council's Principle Tree and Landscaping Officer has been consulted on the application stating that it appears from the layout provided that the development of the land is possible without causing harm to the trees and that their retention would provide valuable screening subject to details of the physical protection of the trees during the construction.

However, in terms of the impact of the development of the land on the character and appearance of the countryside, and notwithstanding the screening benefit of the existing trees, it is considered that the intensification of ribbon development would be undesirable and would detract from the rural character of the local environs.

Highway Safety and Parking

Saved Policy QL10 of the adopted Tendring District Local Plan 2007 states that planning permission will only be granted, if amongst other things, access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate. Officers consider that sufficient space is available on site to provide a development that could achieve parking in line with the requirements the Council's current adopted Parking Standards.

Essex County Council Highway Authority raise no objection to the development subject to conditions.

Residential Amenities

The NPPF, in paragraph 127 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Tendring District Local Plan (2007) states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) supports these objectives.

Officers consider that sufficient space is available on site to provide a development that would achieve an internal layout and separation distances that would not detract from the amenities of The Priory or the future occupiers of the proposed dwellings and would provide private amenity areas in excess of the standards set out within Saved Policy HG9 of the adopted Local Plan.

Financial Contributions – Open/Play Space

Paragraph 54 of the National Planning Policy Framework (2018) states Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Paragraph 56 of the NPPF states planning obligations must only be sought where they are necessary to make the development acceptable in planning terms, directly relate to the development and fairly and reasonably relate in scale and kind to the development.

Policy COM6 of the adopted Tendring District Local Plan 2007 states "For residential development below 1.5 hectares in size, developers shall contribute financially to meet the open space requirements of the development in proportion to the number and size of dwellings built".

There is currently a deficit of 0.30 hectares of play and formal open space in Wrabness and any further development in Wrabness will increase demand on already stretched facilities.

Due to the lack of play/formal open space in Wrabness it is felt a contribution towards play and formal open space is justified and relevant to the planning application. This application is not accompanied by a correctly completed unilateral undertaking for a contribution towards play and formal open space facilities and therefore this scheme does not comply with Policy COM6.

Financial Contributions - Essex Coast Recreational disturbance Avoidance and Mitigation Strategy

Under the Habitats Regulations, a development which is likely to have a significant effect or an adverse effect (alone or in combination) on a European designated site must provide mitigation or otherwise must satisfy the tests of demonstrating 'no alternatives' and 'reasons of overriding public interest'. There is no precedent for a residential development meeting those tests, which means that all residential development must provide mitigation. This residential development lies within the Zone of Influence of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). The residents of new housing are therefore considered likely to regularly visit relevant designated sites for recreation. In order to avoid a likely significant effect in terms of increased recreational disturbance to coastal European designated sites (Habitats sites) in particular the Hamford Water SPA and Ramsar site, mitigation measures will need to be in place prior to occupation.

A proportionate financial contribution has not been secured in accordance with the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) requirements. As submitted, there is no certainty that the development would not adversely affect the integrity of Habitats sites.

The proposal is therefore considered to be contrary to Policies EN6 and EN11a of the Saved Tendring District Local Plan 2007, Policy PPL4 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

Representations

Wrabness Parish Council object to the application on the following grounds;

- Contrary to the published Tendring District Local Plan.
- Site well beyond the settlement limits for Wrabness.
- Remote from village services.
- Not a sustainable location for residential development.
- The proposed housing and related highway proposals would intrude into the open countryside.
- Create a precedent for housing development elsewhere along the Harwich Road.

8 individual letters of objections have been received. The objections raised can be summarised as follows;

- Green belt land.
- Unsuitable and hazardous access and road layout.
- Completely at odds with the character of this part of Wrabness.
- Set a harmful precedent for further erosion of the countryside.
- Outside defined development boundary for Wrabness.
- Diminish open countryside and landscape.
- Harm to trees and wildlife.
- No amenities, or services or employment to support development.
- A single bus stop with in frequent services is not sufficient to support the development.
- Poor transport links.
- Development would be reliant on car.
- Loss of prime agricultural land.
- Already overstretched infrastructure.
- Wrabness is a rural settlement.
- 5 year housing supply met - no need.
- Unsustainable development.

- Completely incongruous development being out of keeping, out of scale and out of character with the rural character of the area.
- Harm to views from Suffolk Coastal and Heaths Area of Outstanding Natural Beauty.
- Increased flood risk from surface water flooding from hardsurfacing.
- Environmental harm from private sewage and water treatment proposals.
- Conflict with agricultural traffic.
- Large properties out pricing locals.

The principle of development, trees and highways are considered above. Any conflicts over land ownership/access rights are not material planning considerations.

The site is not shown on our records as Grade 1 / prime agricultural land.

Conclusion

Due the severe and overriding harm identified above, the application represents an unsustainable form of development contrary to national and local plan policies and is therefore recommended for refusal.

6. Recommendation

Refusal - Full

7. Reasons for Refusal

- 1 The site lies outside of the Settlement Development Boundary 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 National Planning Policy Framework 2019 (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 report, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination in Public of the Local plan. There are therefore significant doubts about the validity or extent of any housing supply 'deficit', albeit the tilted balance applies. This minimises the reduction in weight to conflict with Policy QL1, as per the Hallam Land judgement, especially in view of the fact that the Council has considerably increased its housing delivery figures in recent years.

Wrabness is categorised within emerging Policy SPL1 as a 'Smaller Rural Settlement' in recognition of its size and small range of local services. 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 or extend close to its locality.

In this instance, the application site is located approximately 1.5 km from the edge of the settlement boundary of Wrabness with its already limited range of services and amenities. In this regard, there is no access to day to day needs within a practical walking distance and the conditions are unsafe on these country roads with little to no footpaths or street lighting. Any social sustainability credentials of the site are severely diminished due to its distance from the built up area of Wrabness which already has limited local services. Whilst it is recognised that there is a bus stop in close proximity of the site with services to Manningtree, it is highly likely that the occupants of the proposed dwellings would be car dependant failing to promote sustainable modes of transport therefore failing to meet the social strand of sustainable development.

For the reasons set out above the proposal is considered to fail the social objective. This together with the conflict with Saved Policy QL1 of the adopted plan and emerging Policy SPL1 amounts to an unsustainable form of development.

- 2 Paragraph 8 of the National Planning Policy Framework 2019 (NPPF) sets out the overarching objectives for achieving sustainable development, one being the environmental objective which requires the planning system to contribute to protecting and enhancing our natural, built and historic environment. Furthermore, Paragraph 127 of the NPPF requires that development should respond to local character and history, and reflect the identity of local surroundings. It goes on to say that local distinctiveness should be promoted and reinforced. Saved Policy QL9 and EN1 of the Tendring District Local Plan (2007) and Policy SPL3 and PPL3 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) seeks to ensure that development is appropriate in its locality and does not harm the appearance of the landscape.

Although the site could not be described as wholly isolated due to the presence of The Priory and other built form opposite and to the north-west, the overall character of the area is rural in nature being dominated by open fields and agricultural land and buildings. Examples of residential dwellings in the locality are sporadic, modest and rural in character. The scale of the dwellings in combination with the density of the development are wholly inappropriate and out of character with the area resulting in an uncharacteristic relationship between dwellings at odds with its existing dispersed character. Placing 4 dwellings on the site would result in a reduction in the factors that contribute to its landscape character, including spaciousness between dwellings and openness. Notwithstanding the screening benefit of the existing trees, it is considered that the intensification of ribbon development would be undesirable and would detract from the rural character of the local environs. Furthermore, the inward facing layout of the dwellings is wholly out of character where the few examples of dwellings in the vicinity address the main road. In addition, 4 dwellings of very similar design lack interest and variation, resulting in a bland and urban development failing to reflect local surroundings or distinctiveness.

The development would create an incongruous and imposing development to the severe detriment of the rural character of the area. The development represents an unplanned advance of urbanisation into the countryside eroding the rural character resulting in a detrimental impact upon the rural landscape and views from and into the proposed extension of Suffolk Coastal and Heaths Area of Outstanding Natural Beauty which lies opposite. In applying the NPPF's presumption in favour of sustainable development, the adverse environmental impacts of the proposal on the character of the locality are not outweighed by any benefits.

- 3 Paragraph 54 of the National Planning Policy Framework (2018) states Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Paragraph 56 of the NPPF states planning obligations must only be sought where they are necessary to make the development acceptable in planning terms, directly relate to the development and fairly and reasonably relate in scale and kind to the development.

Policy COM6 of the adopted Tendring District Local Plan 2007 states "For residential development below 1.5 hectares in size, developers shall contribute financially to meet the open space requirements of the development in proportion to the number and size of dwellings built".

There is currently a deficit of 0.30 hectares of play and formal open space in Wrabness and any further development in Wrabness will increase demand on already stretched facilities.

Due to the lack of play/formal open space in Wrabness it is felt a contribution towards play and formal open space is justified and relevant to the planning application. This application is not accompanied by a correctly completed unilateral undertaking for a contribution towards play and formal open space facilities and therefore this scheme does not comply with Policy COM6.

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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 Agent. 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.