

**TENDRING DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE**

**28 AUGUST 2019**

**AGENDA ITEM A.1**

**18/00163/FUL - Land to The West of Edwards Drive, Thorrington, CO7 8FE**

**Construction of 29 specialist bungalows (for those aged over 60, and/or those with, or supporting someone with a disability) with associated roads, parking and garaging.**

Representations

A further two letters of objection have been received to the application. The comments received are summarised as follows:

- The revised plan appears to show that the bungalows are now nearer to the rear boundaries of the existing properties in Clover Drive causing even greater loss of privacy.
- It is noted that Thorrington is classed as a 'smaller rural settlement' where only small scale developments of up to 10 dwellings would normally be supported. This application for 29 properties brings the total number for the overall development to 45.
- Residents have made housing purchase decisions based on the council's declared Settlement Development Boundaries issued as recently as 2017.
- Tendring District Councils declared objective of balancing housing, jobs and infrastructure is adversely affected by this development. The locality is poorly served by pedestrian access, there are no healthcare facilities in Thorrington and internet coverage is poor.
- Further infrastructure is required for the village before increasing the population.

Officers consider that the principle of development in this location is as set down within paragraphs 6.4 to 6.13 of the Committee report. As the report notes as the Council cannot currently demonstrate a 5 year supply of housing land then the tilted balance applies and this proposal should therefore be considered against the policies contained within the NPPF and in that context whether the scheme can be considered sustainable. Applying the planning balance it is considered that in this case the proposed development is acceptable.

The bungalow positions set closest to Clover Drive are marginally closer than shown on the original, now superseded, layout. However officers consider that the proposed back to back distances remain acceptable.

**AGENDA ITEM A.2**

**19/00685/FUL**

**Land at Harwich Road, Wix, CO11 2SA**

**Proposed construction of two pairs of semi-detached dwellings.**

Removal of call in by Councillor Bush:

Since the publication of the agenda, Councillor Mike Bush has removed his earlier call in, stating the revised layout appears to address and mitigate the privacy issues relating to

properties directly opposite. However, given this was confirmed after the agenda had been published, the only way to ensure this was determined under Officer's delegated powers was if the Chairman of the Planning Committee decided to withdraw the application from the agenda.

Additional letter of objection received:

Following the publication of the agenda, a local resident residing at 'Sunset', to the north of the application site, has written to the Head of Planning with concerns of the dismissive way in which their previous objections have been considered within the report before the Planning Committee.

They detail that their primary concern is the proposed new houses on this development will directly face them at a distance which will dramatically affect their privacy. They feel that the report suggests they have no right of privacy in their own living room because it faces the public domain, and even if this was accepted, the current view out of this window is to vacant land as opposed to the lounges/bedrooms of the proposed dwellings.

They further state that while the amended plans appear to ensure the dwellings will not directly face their property, concerns are raised that the plans are not entirely accurate. As such if the development is to be approved they would like assurances that the developer would have to adhere to the approved plans, and ensure Plot 2 will not directly face onto their property.

To summarise, the objector is extremely disappointed at the lack of any real acknowledgement or understanding of their concerns. While they believe it is likely the case that the development complies with the vast array of relevant policies, they feel their legitimate concerns have been largely ignored and dismissed.

Officers response:

In answer to the points raised above, the initial report for the Planning Committee was not stating the residents of 'Sunset' have no right of privacy within rooms to the front elevation, instead it was confirmed that as the windows mentioned are to the front elevation and face directly on to the public realm and a public footpath, they would not be rooms that would be considered private in their existing form. While the proposed development will result in a degree of harm, the submitted plans show that the dwellings will not directly face towards 'Sunset'. Given this, the 11 metres separation distance, and that the windows in question directly face onto the public realm, the Officers opinion remains that the potential loss of privacy is not significant enough to justify recommending refusal.

A condition is recommended that the development is carried out in full accordance with the submitted plans. If the development is not built in accordance with these plans, it may be a separate matter for the Council's Planning Enforcement Team.