

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	RA	13-11-19
Planning Development Manager authorisation:	TF	13/11/19
Admin checks / despatch completed	CC	14.11.19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	EN	14/11/19

Application: 19/01204/DETAIL **Town / Parish:** Great Bentley Parish Council

Applicant: Mr Stephen Williams - Hills Residential

Address: Land at Admirals Farm Heckfords Road Great Bentley

Development: Proposed Erection of 50 dwellings garages and associated works.

1. Town / Parish Council

Great Bentley Parish Council No comment regarding this application.

2. Consultation Responses None.

3. Planning History

15/00682/OUT	Proposed erection of 75 dwellings, garages, roads and associated works.	Refused	08.01.2016
16/00133/OUT	Proposed erection of 50 dwellings, garages, roads and associated works.	Approved	28.09.2016
16/01912/DETAIL	Proposed erection of 50 dwellings, garages and associated works.	Approved	12.05.2017
16/01999/OUT	A doctor's surgery and twenty five dwellings, associated infrastructure and landscaping.	Refused	04.04.2017

16/01999/OUT	A doctor's surgery and twenty five dwellings, associated infrastructure and landscaping.	Refused	04.04.2017
18/01543/TELLIC	Proposal to install electronic communications apparatus/development ancillary to radio equipment housing.	Determination	28.09.2018
18/01796/DISCON	Discharge of Conditions 7 (tree protection measures), 9 (phasing plan), 10 (landscape & public open space management plan), 14 (ecological mitigation & management plan), 15 (construction method statement), and 17 (local recruitment strategy) of 16/00133/OUT.	Approved	09.01.2019
19/00307/DISCON	Discharge of Condition 11 (Surface Water Drainage) of 16/00133/OUT.	Approved	12.03.2019
19/00801/NMA	Non-material amendment for approved application 16/01912/DETAIL.	Withdrawn	18.09.2019
19/01021/OUT	Variation of condition 12 of approved application 16/00133/OUT to amend clause (ii).	Approved	17.10.2019

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

- QL10 Designing New Development to Meet Functional Needs
- QL11 Environmental Impacts and Compatibility of Uses
- HG1 Housing Provision
- HG3 Residential Development within Defined Settlements
- HG3A Mixed Communities
- HG4 Affordable Housing in New Developments
- HG6 Dwelling Size and Type
- HG7 Residential Densities
- HG9 Private Amenity Space
- HG14 Side Isolation
- COM6 Provision of Recreational Open Space for New Residential Development
- COM19 Contaminated Land
- COM26 Contributions to Education Provision
- EN1 Landscape Character
- EN6 Biodiversity
- EN11A Protection of International Sites European Sites and RAMSAR Sites
- EN13 Sustainable Drainage Systems
- EN29 Archaeology
- TR1A Development Affecting Highways
- TR2 Travel Plans
- TR3A Provision for Walking
- TR4 Safeguarding and Improving Public Rights of Way
- 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
- HP3 Green Infrastructure
- 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
- PPL1 Development and Flood Risk
- PPL4 Biodiversity and Geodiversity
- PPL5 Water Conservation, Drainage and Sewerage
- PPL7 Archaeology
- CP1 Sustainable Transport and Accessibility

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 (2019) 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. There are other development proposals that have been used in the past

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.

Representations

One letter of representation has been received in response to this application which supports the following objections raised previously on the approved Outline application.

:

- The development will not help the local community
- Houses will be bought by people from outside the village
- The houses will not be affordable for local people
- Only one house is shown to be affordable
- The development will only provide a large profit for the landowner and developer
- Increase in already heavy traffic
- Pedestrian safety here and elsewhere in the village will worsen
- The junction of Heckfords Road and the A133 is dangerous
- Views from the conservation area will be adversely affected
- Not enough parking in the village
- Negative impact on sense of community
- Lack of public transport, particularly bus services
- Disproportionate levels of development going to Great Bentley
- No school places

- No capacity at the doctor's surgery
- Chemist is constantly busy
- Other approved developments in other villages will address the housing shortage
- Parish Council members should not be allowed to profit from building work
- Disruption to bats and other wildlife
- Light pollution on the night sky
- No safe passage to the proposed foot path on the west of Heckfords Road
- Developers should be made to use brownfield sites first

Assessment

The site comprises just under 6.8 hectares of agricultural land located at the northern edge of the village of Great Bentley, east of Heckford's Road and north of Moors Close.

The site has been granted approval for the development of up to 50 dwellings under planning consent 16/00133/OUT on land at Admirals Farm. The scheme provides for the following mix of dwellings sizes;

- 9 x 2-bed bungalow
- 9 x 2-bed house
- 8 x 2-bed house
- 21 x 4-bed house
- 3 x 2-3 bed affordable

The dwellings are together constructed in line with the Council's adopted and emerging planning policies and will provide areas of open space, a play area in addition to sustainable drainage features.

This application seeks permission for approval of materials to plots 1-41 of planning permission 16/01912/Detail and site layout.

The applicant has submitted a materials schedule which detail the following amendments.

House Type Change
1 Chimney moved from right to left elevation.
Omitted dummy windows.
2 Omitted "parapets" subdividing lean-to roof at rear between houses.
Ground floor WC window added to each gable end.
Living room window added to right elevation to lean-to portion of wall.
3 Dummy window heads swapped to flat stone from arched brick.
4 House Type 4 omitted entirely. Only 4A used - now called Type 4.
Window heads changed to flat stone.
5 Headers changed to arched brick to rear elevation.
Dummy window on right elevation swapped to full window.
6 Window over front door changed to dummy window.
Window heads changed to stone on front and side elevations and omitted from rear elevation.
Dummy window omitted from right elevation.
Bay window on left elevation moved towards front of house.
Stone stringer reduced to front elevation only with 450mm return on side elevations.

Lean-to area to rear swapped sides to improve ground floor circulation to form open plan kitchen, dining, and living experience and moves utility room adjacent garage.
HT6a omitted.
7 Garage pushed back.
Double door to rear omitted from living room.
Window headers changed to flat stone.
En-suite bathroom window omitted from right elevation.
Roof lights over lean-to omitted.
Bed 1 en-suite layout updated - Window has been moved.
8 Chimney added to right elevation.
Parapet omitted from rear elevation.
Window headers changed to flat stone.
Doors at ground floor to rear elevation updated.
9 Window headers changed to flat stone.
Pilasters omitted from front door.
Affordable Window headers changed to flat stone on front elevation and arched brick on rear elevation.
Stone string course omitted from rear elevation.
Kitchen door moved from side to rear elevation on 3 bed unit.

There are also proposed changes to the site layout which comprise the following;

Plot Number / Change
1 / Plot boundary pulled away from tree belt on Moore's Lane
2 / Unit handed.
3 / Garage pushed forward.
4 / Garage pushed forward.
5 / HT6a changed to HT6
6 / Garage pushed forward.
7 / Unit pushed back from footpath.
8 / Footpath realigned
9 / Unit pushed back from footpath. Driveway and front path combined.
10 / Footpath realigned
11 / Unit pushed back from footpath
12 / No change
13 / House Type 6a changed to House Type 6. Driveway changes.
14 / Added single garage
15 / Garage pushed back from footpath.
16 / Added single garage
17-19 / Footpaths rationalised.
Parking court to rear updated.
20 / Unit pushed back from footpath.
Driveway and front path combined.
21 / Unit handed.
Garage moved to left hand side.
22 / Unit handed.

Double garage added to be shared with Plot 23.
Unit pushed back from road.
23 / Double garage added to be shared with Plot 22.
Unit pushed back from road.
24 / Unit pushed back from road.
25 / Unit pushed back from road.
26 /Unit changed to House Type 7.
Unit pushed back from road.
27-31 / Access path around north of unit to parking court omitted.
Path to rear of units changed to be independent access to each unit.
Parking court amended to include visitor spaces.
32 / Garage pushed back from road.
33 / Garage pushed back from road.
34 / Driveway separated from Plot 35
35 / Driveway separated from Plot 34
Unit handed.
Driveway and front path combined.
36 / Garage pushed back from road.
37 / Unit pushed back from road.
38 / Driveway and front path combined.
39 / Unit pushed back from road.
40 / Double garage added to be shared with Plot 41
41 / Unit handed.
Double garage added to be shared with Plot 40

Matters under consideration

The principle of development has already been established through the grant of outline planning permission (application 15/00133/OUT). The report to Planning Committee on 19th April 2016 considered the following matters:

- Principle of development;
- Highways, transport and accessibility;
- Flood risk and drainage;
- Infrastructure impact
- Landscape, visual impact and trees;
- Open space;
- Ecology;
- Impact upon neighbours;
- Council Housing / Affordable Housing;
- Indicative design and layout upon the Conservation Area; and
- Other issues (including loss of agricultural land).

This reserved matters application seeks approval for the following,

Layout; Appearance and Materials.

Layout

The proposed layout of the scheme involves 50 dwellings accessed via a new access road off Heckfords Road which passes through an area of land to remain undeveloped and crosses Moors Lane before the development starts. The irregular and, in parts, narrow shape of the site dictates that a large part of the site is in the form of two rows of dwellings orientated in a front-to-front layout overlooking the new highway and areas of open space.

The proposed layout does not seek to encourage pedestrian movements along Moors Lane and the footpaths all connect to the proposed footway onto Heckfords Road.

Officers conclude that the proposed layout is acceptable for this location, that the development includes open spaces at logical locations that will minimise visual impacts on the wider area and provide for sustainable drainage features.

Appearance

The key consideration for in relation to the appearance of this development is its impact upon the setting and appearance of the Great Bentley Conservation Area.

Whilst the site does not itself form part of the designated Conservation Area, there are key gaps in the built frontage of development around the green. These afford some glimpse views out to the site and the woodland beyond and, as a result, there is potential for new development to be visible and have a visual impact upon what can be seen from the village green.

The applicants have revised the proposed layout to include a more substantial undeveloped gap within the centre of the site and the properties will be set well away from Heckfords Road itself.

Officers are satisfied that the proposed appearance is considered to be acceptable and would not have a substantial impact upon the conservation area.

Policy HG9 in the adopted Local Plan sets minimum private amenity standards for new dwellings which require a minimum of 100 square metres for any house of 3 or more bedrooms, 75 square metres for any 2 bed house and 50 square metres for any 1 bed house.

Officers are satisfied that all the plots on this development achieve these minimum requirements and generally exceed the requirements comfortably.

For dwelling sizes, neither the adopted Local Plan nor the emerging plan contains specific standards as these are to be required at a national level through the building regulations. However, the properties proposed have gross internal floor areas (GIA) that are generally in excess of the minimum requirements that were being promoted by the Council, in line with the London Design Guide, in the earlier iteration of the draft Local Plan.

The proposed height of properties throughout the site is acceptable for the area with particular care taken to ensuring that the bungalows are located in central parts of the site where visual gaps between the village green and the woodland might exist.

The properties adjoining those in Moors Close are set back well in excess of minimum back to back standards and are at a plot density that is in keeping with the existing established pattern of development. Concerns over private amenity, overlooking or loss of light are therefore kept to a minimum.

Overall the appearance and scale of the development is considered to be acceptable and there are no objection from Officers with regards to the overall appearance of the development.

Materials

Turning to the individual design of properties, being a site that backs onto existing established development and that will not be readily visible from main public viewpoints within the Conservation Area, there is no set theme of design or architecture that development is expected to follow.

It is worth noting that the architecture throughout Great Bentley is fairly mixed and there is no obvious prevailing style to follow or reflect.

The range of traditional designs within the scheme are considered acceptable to Officers for this location.

House Type 1 is a 3-bedroom bungalow of simple traditional design. There are nine of these bungalows mixed within the development. The almshouses comprise a terrace of five smaller 1 ½ storey 2-bed terraced houses arranged around an area of open space with smaller rear gardens and parking spaces to the rear.

House Type 3 is a 2bedroom house of traditional design with a simple porch and symmetrical window layout, of which there will be four within the development.

House Type 4A is 4-bed gable fronted house with an integral garage – as explained above house type 4 has been omitted entirely from the development.

House Type 5 is a 3-bed house, gable fronted with a bay window of which there will be five.

House Types 6 and 6A represented 5 x 4-bed houses – one type with an attached garage and the other variation with a room above the attached garage and a design that includes a symmetrical window layout and bay window features on one side.

House type 6a has now been omitted entirely from the scheme and now changed to house type 6 with some garage changes.

House Type 7 is a more substantial 4-bed house type with a double garage and more decorative features around the front door, of which there will be 7 on site.

House Type 8 follows a neo-Georgian grand design with sash windows and lighter materials of which there will be five.

House Type 9 is another large 4-bed unit with more substantial decorative features around doors and windows of which there will be three.

The three affordable units to be transferred to the Council are in a terrace, in simple but traditional form with the larger 3-bed property forming a gable end to the scheme. [Revisions to the design have been made to include more attractive decorative features, bringing the affordable units more in line with appearance of some of the private houses].

5. Recommendation

The principle of development has already been established through the granting of outline planning permission and this reserved matters proposal (with the applicant's revisions) is considered by Officers to be acceptable.

The recommendation is therefore approval.

6. Conditions

- 1) The development hereby permitted shall be carried out in accordance with the amended Materials Schedule, Amended Site Plan 30/10/2019 and Proposed Masterplan Plan received by the Council on the 08/11/2019 in addition to the following approved plans/drawings;

3522-0101 P06 HT 1 - PROPOSED FLOOR PLANS AND ELEVATIONS

Drawing 31 May 2019 3522-0201 P09 HT 2 - PROPOSED FLOOR PLANS AND ELEVATIONS

Drawing 31 May 2019 3522-0301 P06 HT 3 - PROPOSED FLOOR PLANS AND ELEVATIONS

Drawing 31 May 2019 3522-0401 P03 HT 4 - PROPOSED FLOOR PLANS AND ELEVATIONS

Drawing 31 May 2019 3522-0501 P04 HT 5 - PROPOSED FLOOR PLANS AND ELEVATIONS.

Drawing 31 May 2019 3522-0601 P05 HT 6 - PROPOSED FLOOR PLANS AND ELEVATIONS

Drawing 31 May 2019 3522-0701 P03 HT 7 - PROPOSED FLOOR PLANS AND ELEVATIONS

Drawing 31 May 2019 3522-0801 P05 HT 8 - PROPOSED FLOOR PLANS AND ELEVATIONS

Drawing 31 May 2019 3522-0901 P04 HT 9 - PROPOSED FLOOR PLANS AND ELEVATIONS

Drawing 31 May 2019 3522-1001 P04 HT 10-11 - PROPOSED FLOOR PLANS AND ELEVATIONS

Reason- For the avoidance of doubt and in the interests of proper planning.

Informatives

- 1) Application Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance

with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 2 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.

- 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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO