

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	07/10/2020
Planning Development Manager authorisation:	TF	07/10/2020
Admin checks / despatch completed	CC	07/10/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	07/10/2020

Application: 20/00864/DETAIL **Town / Parish:** Great Bentley Parish Council

Applicant: Hills Building Group

Address: Land at Admirals Farm Heckfords Road Great Bentley

Development: Amendments to Layout relating to plots 7, 8, 12, 31, 32, 35, 37, 38 and 39; Boundary conditions and realignments, Site entrance wall added; and Appearance and Scale relating to Plot 8 (approved under 16/01912/DETAIL).

1. Town / Parish Council

Great Bentley Parish
Council

At the Great Bentley Parish Council Planning Committee meeting held on 1st October 2020 it was resolved to make no comment on this application.

2. Consultation Responses

ECC Highways Dept
02.10.2020

The Highway Authority does not object to the proposals as submitted.

Tree & Landscape Officer
01.10.2020

The amended layout makes adequate provision for the retention and physical protection of the trees on the application site and adjacent land. In this respect the amended layout will not alter the impact that the development of the land will have on trees on the application site or adjacent land.

In terms of soft landscaping the applicant has provided a comprehensive planting scheme, including tree planting that will soften and enhance the appearance of the development.

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

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
19/01021/OUT	Variation of condition 12 of approved application 16/00133/OUT to amend clause (ii).	Approved	17.10.2019
19/01204/DETAIL	Seeking approval for material changes further to application 16/01912/DETAIL (Plots 1 to 41).	Approved	14.11.2019
20/00864/DETAIL	Amendments to Layout relating to plots 7, 8, 12, 31, 32, 35, 37, 38 and 39; Boundary conditions and realignments, Site entrance wall added; and Appearance and Scale relating to Plot 8 (approved under 16/01912/DETAIL).	Current	

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

Tending 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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities 'Garden Communities' proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector's advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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 (which applies until such time that the figures in the new Local Plan are adopted).

In addition, the actual need for housing (as set out in the emerging Local Plan) 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, as recently endorsed by the Local Plan Inspector. Therefore, in weighing the benefits of residential development against the harm, the Inspector's endorsement of the lower housing requirement figure is a strong material consideration which tempers the amount of weight that can reasonably be attributed to the benefit of additional new housing to address the perceived shortfall – given that, against the Local Plan housing requirement there is, in fact, a surplus of supply as opposed to a shortfall.

5. Officer Appraisal (including Site Description and Proposal)

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 Heckfords 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 dwelling 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 to be 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.

Proposal

This Reserved Matters application relates to layout, appearance and landscaping only and seeks the following changes to the previously approved plans;

Plot 7 - amended to use House Type 8 and moved forward 1 metre.

Plot 7 - provision of double garage for the use of Plot 7 only.

Plot 8 - move very slightly east and amended to use single garage to Plot 8 only, following change to Plot 7 and moved forward 1.3 meters.

Plot 35 - garden boundary has been repositioned into Plot 34's garden.

Plot 37 - has been brought forwards adding 4m of depth to its rear garden.

Plot 38 - has been very slightly brought forward and a slight increase in size entering into plot 39's garden slightly to the right hand side.

Plot 39 - has been brought forwards significantly adding 4m of depth to its rear garden.

Plot 32 - Fence line adjacent road has been aligned with footpath Boundary on Plot 34 and 35 realigned.

Boundary treatment - All garden fencing to be close boarded.

Boundary realignment to rear of Pump Station to mitigate unallocated land.

Site entrance brick feature walls added.

Plot 12 - garden extended towards substation.

Wall to plot 31's garden boundary now replaced with a fence and amended landscaping.

Plot 6 - Increase the garden eastwards as shown by the red dashed line.

Design/Layout

Changes to the site plan to amend Plot 7 will provide an enhancement to the street scene. House Type 8 is better suited to more appropriately anchor the street scene in the context of plots 7 through 12. This will provide a more balanced street scene in this area of the site and will enhance the area of public open space on which these plots overlook. The other drawings submitted are for reference in order to demonstrate the House Type 8 and associated garaging. They remain unchanged from their prior approval. Finally, boundary treatment for Plots 6 and 7 have been rationalised to avoid unallocated areas to the rear of the pump station.

Additional changes to plots are adjusted to improve garden areas and improve alignment to the street scene. Fence lines and locations have been amended to run parallel with the road. Entrance wall to site is proposed to form boundary approach signage.

Overall the changes proposed do not materially impact upon the appearance of the development and are acceptable from a visual and residential amenity sense. All garden sizes remain in accordance with saved policy HG9 (Private Amenity Space) and in some cases are increased in size. Parking provision remains comfortably in excess of requirements and visitor parking provision is unaffected by the changes.

Landscape/Trees

The amended layout makes adequate provision for the retention and physical protection of the trees on the application site and adjacent land. In this respect the amended layout will not alter the impact that the development of the land will have on trees on the application site or adjacent land. In terms of soft landscaping the applicant has provided a comprehensive planting scheme, including tree planting that will soften and enhance the appearance of the development.

Highways

ECC-Highways have no objections to the changes proposed. All properties maintain sufficient parking provision to accord with the current parking standards.

Conditions

Where necessary the conditions applied to the previously reserved matters application will be re-applied. An updated landscaping scheme has been provided, the implementation of which will be secured via condition.

RAMS

In respect of the implementation of RAMS (Essex Coast Recreation Disturbance, Avoidance and Mitigation Strategy), the development has been implemented and construction work is under way with a significant number of dwelling completions. Furthermore, this reserved matters scheme does not increase the number of units on site. As such it is not considered to be reasonable to request the collection of a RAMS contribution in this instance.

Other Considerations

Great Bentley Parish Council has no comments to make upon the proposal. No further letters of representation have been received.

6. Recommendation

Approval

7. Conditions

- 1 All changes in ground levels, hard landscaping, planting, seeding or turfing shown the approved landscaping details drawing nos. 16.2030.01. I, 16.2030.02. S, 16.2030.03. Q, 16.2030.04. R, 16.2030.05. Q and 16.2030.06. Q shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To ensure the implementation of the approved scheme and adequate maintenance of the landscaping for a period of five years in the interests of the character of the conservation area.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

- 16.2030.01. I
- 16.2030.02. S
- 16.2030.03. Q
- 16.2030.04. R
- 16.2030.05. Q
- 16.2030.06. Q
- 3522-A-0015 P11 Site Layout Plan
- 3522-E-0002-P02 Site Location Plan
- 3522-E-0103-P01 Garage Type 1
- 3522-E-0104-P01 Garage Type 2
- 3522-E-0801-P01 HT8 4BH
- HBG/SK/V10

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

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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