



<b>Application:</b>	16/01456/DETAIL	<b>Town / Parish:</b> Weeley
<b>Applicant:</b>	Mr. S. Rose – Rose Builders (Willow Farm) Ltd	
<b>Address:</b>	Land adjacent Willow Farm, Mill Lane, Weeley Heath, Essex CO16 9BZ	
<b>Development:</b>	Redevelopment of existing Pig Farm, removal of existing buildings and associated structures. Remediation of contaminated land. Provision of a new residential development providing 10 dwellings accessed via Mill Lane and 36 dwellings accessed via Clacton Road, garages and associated works.	

## 1. **Executive Summary**

- 1.1 This is a reserved matters application seeking approval of detailed plans for 46 dwellings on the pig farm site in Weeley Heath. This follows on from the approval of outline planning permission 15/00541/OUT on 18<sup>th</sup> March 2016 in line with the Committee's resolution of 22<sup>nd</sup> September 2015.
- 1.2 Outline planning permission was granted subject to a s106 legal agreement and 33 planning conditions. The proposal is the subject of a viability assessment which is being independently scrutinised on the Council's behalf and will determine the final level of affordable housing and contributions towards education provision. Many of the planning conditions are in the process of being discharged by Officers including those relating to drainage, landscaping, contamination, removal of asbestos, ecology and construction methods.
- 1.3 The design and layout of the development is considered by Officers to be acceptable and in keeping with the local area and the location of houses and bungalows across the site recognises the position of neighbouring properties to minimise adverse impacts, follows secured-by-design principles and would provide a good quality of residential environment. The properties generally meet and exceed the Council's standards for quality, garden sizes and parking. Accordingly, the application is recommended for approval.

### **Recommendation: Approval**

#### **Conditions:**

1. Accordance with approved plans.

## 2. **Planning Policy**

### **National Planning Policy Framework (NPPF)**

The National Planning Policy Framework (March 2012) sets out the Government's planning policies and how these are expected to be applied at the local level.

Planning law requires that applications for planning permission be determined in accordance with the 'development plan' unless material considerations indicate otherwise. The NPPF doesn't change the statutory status of the development plan as the starting point for decision taking. Where proposed development accords with an up to date Local Plan it should be approved and where it does not it should be refused – unless other material considerations indicate otherwise. An important material consideration is the NPPF's 'presumption in favour of sustainable development'. The NPPF defines 'sustainable development' as having three dimensions:

- an economic role;
- a social role; and
- an environmental role.

These dimensions have to be considered together and not in isolation. The NPPF requires Local Planning Authorities to positively seek opportunities to meet the development needs of their area whilst allowing sufficient flexibility to adapt to change. Where relevant policies in Local Plans are either absent or out of date, there is an expectation for Councils to approve planning applications, without delay, unless the adverse impacts would significantly and demonstrably outweigh the benefits.

Section 7 of the NPPF relates to design. Paragraph 56 states that government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 187 of the NPPF states *"Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area"*.

### **Local Plan**

Section 38(6) of the Planning Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the 'development plan' unless material considerations indicate otherwise. In the case of Tendring the development plan consist of the following:

**Tendring District Local Plan (Adopted November 2007)** – as 'saved' through a Direction from the Secretary of State. Relevant policies include:

QL3: Minimising and Managing Flood Risk: Seeks to direct development away from land at a high risk of flooding and requires a Flood Risk Assessment for developments in Flood Zone 1 on sites of 1 hectare or more.

QL9: Design of New Development: Provides general criteria against which the design of new development will be judged.

QL10: Designing New Development to Meet Functional Needs: Requires development to meet functional requirements relating to access, community safety and infrastructure provision.

QL11: Environmental Impacts: Requires new development to be compatible with its surrounding land uses and to minimise adverse environmental impacts.

HG3a: Mixed Communities

Promotes a mix of housing types, sizes and tenures to meet the needs of all sectors of housing demand.

HG6: Dwellings Size and Type

Requires a mix of housing types, sizes and tenures on developments of 10 or more dwellings.

HG9: Private Amenity Space

Requires a minimum level of private amenity space (garden space) for new homes depending on how many bedrooms they have.

HG14: Side Isolation

Requires a minimum distance between detached properties.

COM2: Community Safety

Requires developments to contribute toward a safe and secure environment and minimise the opportunities for crime and anti-social behaviour.

COM6: Provision of Recreational Open Space for New Residential Developments

Requires residential developments on sites of 1.5 hectares or more to provide 10% of the site area as public open space, or a financial contribution from smaller developments.

COM21: Light Pollution

Requires external lighting for new development to avoid unacceptable impacts on the landscape, wildlife or highway and pedestrian safety.

COM23: General Pollution

States that permission will be refused for developments that have a significant adverse effect through the release of pollutants.

COM31a: Sewerage and Sewage Disposal

Seeks to ensure that new development is able to deal with waste water and effluent.

EN12: Design and Access Statements

Requires Design and Access Statements to be submitted with most planning applications.

EN13: Sustainable Drainage Systems

Requires developments to incorporate sustainable drainage systems to manage surface water run-off.

TR1a: Development Affecting Highways

Requires developments affecting highways to aim to reduce and prevent hazards and inconvenience to traffic.

TR3a: Provision for Walking

Seeks to maximise opportunities to link development with existing footpaths and rights of way and provide convenient, safe attractive and direct routes for walking.

TR5: Provision for Cycling

Requires all major developments to provide appropriate facilities for cyclists.

TR7: Vehicle Parking at New Development

Refers to the adopted Essex County Council parking standards which will be applied to all non-residential development.

**Tendring District Local Plan: 2013-2033 and Beyond Proposed Submission Draft (November 2012), as amended by the Tendring District Local Plan Pre-Submission Focussed Changes (January 2014).**

Relevant policies include:

SPL3: Sustainable Design

Sets out the criteria against which the design of new development will be judged.

HP4: Open Space, Sports and Recreation Facilities

Requires larger residential developments to provide a minimum 10% of land as open space with financial contributions toward off-site provision required from smaller sites.

LP2: Housing Choice

Promotes a range of house size, type and tenure on large housing developments to reflect the projected needs of the housing market.

LP3: Housing Density and Standards

Policy requires the density of new housing development to reflect accessibility to local services, minimum floor space requirements, the need for a mix of housing, the character of surrounding development and on-site infrastructure requirements.

LP4: Housing Layout

Policy seeks to ensure large housing developments achieve a layout that, amongst other requirements, promotes health and wellbeing; minimises opportunities for crime and anti-social behaviour; ensures safe movement for large vehicles including emergency services and waste collection; and ensures sufficient off-street parking.

PPL1: Development and Flood Risk

Seeks to direct development away from land at a high risk of flooding and requires a Flood Risk Assessment for developments in Flood Zone 1 on sites of 1 hectare or more.

### PPL3: The Rural Landscape

Requires developments to conserve, where possible, key features that contribute toward the local distinctiveness of the landscape and include suitable measures for landscape conservation and enhancement.

### PPL5: Water Conservation, Drainage and Sewerage

Requires developments to incorporate sustainable drainage systems to manage surface water run-off and ensure that new development is able to deal with waste water and effluent.

### CP1: Sustainable Transport and Accessibility

Requires developments to include and encourage opportunities for access to sustainable modes of transport, including walking, cycling and public transport.

### Other Guidance

Essex County Council Car Parking Standards – Design and Good Practice

Essex Design Guide for Residential and Mixed-Use Areas.

## **3. Relevant Planning History**

3.1 The site has the following planning history:

90/01351/FUL	Agricultural dwelling	Approved	29.10.1991
92/00263/FUL	(Land at Willow Farm, Mill Lane, Weeley Heath) Finishing House for Pigs	Approved	22.04.1992
92/00509/FUL	(Land at Willow Farm, Mill Lane, Weeley Heath) Variation to siting of agricultural dwelling as approved under planning application TEN/90/1351	Approved	01.06.1992
92/01243/FUL	(Willow Farm, Mill Lane, Weeley Heath) Variation to design and setting of agricultural workers dwelling as approved under planning permission TEN/90/1351	Approved	18.12.1992
92/01269/FUL	(Willow Farm, Mill Lane, Weeley Heath) Temporary mobile home for use while dwelling is being built (under TEN/92/1243)	Approved	15.12.1992
98/00485/FUL	(Land at Willow Farm, Mill Lane, Weeley) New Sow House	Approved	02.06.1998
98/00486/FUL	(Land at Willow Farm, Mill Lane, Weeley) New Sow House	Approved	02.06.1998
98/00531/OUT	(Site adjacent The White Hart Public House, Clacton Road, Weeley) Proposed dwelling	Refused	02.06.1998
06/00943/FUL	Installation of new dirty water lagoon to serve pig unit	Approved	20.07.2006

13/00412/OUT	Outline application for 10 No. aspiration houses together with new road junction.	Approved	15.07.2013
13/30144/PRE APP	Residential development for 27 units.	Refused	06.03.2014
15/00541/OUT	Redevelopment of existing Pig Farm, removal of existing buildings and associated structures. Remediation of contaminated land. Provision of a new residential development providing 10 dwellings accessed via Mill Lane and 36 dwellings accessed via Clacton Road, garages and associated works.	Approved	18.03.2016

#### 4

#### **Consultations**

TDC  
Principal Tree &  
Landscape  
Officer

The application site benefits from a reasonable level of screening comprising existing established Oak, Hawthorn and conifer hedges on the boundary with Mill Lane. This vegetation should be partly retained but could be improved by the removal of the existing conifers and subsequent replacement with new Hawthorn hedging to enhance the rural setting of the development site.

In order to show the potential impact of the development proposal on the trees on the land, to identify those that could be retained and those that would need to be removed to facilitate the development proposal the applicant has provided a tree survey and report. This information is in accordance with BS5837 2012 Trees in relation to design demolition and construction.

The tree report shows the positions and crown spread of the trees as well as the Root Protection Areas (RPAs) of the retained trees. It also shows that the proposed development layout will incorporate the retention of all trees on the land that make a contribution to the appearance of the area

The north western boundary of the land is planted with a reasonably well established Hawthorn hedgerow. This feature acts as a good screen and could be strengthened and enhanced by additional planting and appropriate maintenance. A reduction in its height would not be unreasonable

The applicant has submitted detailed soft landscaping plan which shows extensive new tree planting and the incorporation of associated low level shrubs and hedges into the layout.

The information provided in support of the application adequately demonstrates that it could be implemented without causing harm to existing trees and that the soft landscaping proposals will enhance the overall appearance of the development.

ECC Highways

This Authority has assessed the highway and transportation impact of the proposal and does not wish to raise an objection to the above application subject to the following conditions:

No occupation of the development shall occur until such time as the following have been provided entirely at the Developers expense:

- The suitably constructed access road measuring no less than 5.5m in width with 2x2m wide footways.
- Visibility splays measuring 2.4m x 81m to the North West and 2.4m x 83m to the South East
- A 2m wide footway across the Clacton Road frontage
- Improvements to the two nearest bus stops on Clacton Road to include new poles, flags, and timetable boards

Prior to occupation of the development the vehicular parking and turning facilities, as shown on the submitted plan shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Prior to commencement of the proposed development details of a wheel cleaning facility within the site and adjacent to the egress onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The wheel cleaning facility shall be provided at the commencement of the development and maintained during the period of construction.

Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.

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

Any double garages should have a minimum internal measurement of 7m x 6m

Any tandem garages should have minimum internal measurements of 12m x 3m

All garages shall be retained for the purposes of vehicle parking in perpetuity

Prior to occupation of the proposed development, 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.

Natural England    Natural England has no comments to make on this application. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment.



Essex County  
Council Flood  
Authority

[More specifically in relation to the discharge of the relevant conditions]  
A detailed SuDS Design Statement should accompany and drawings  
and should cover:

- Final SuDS to be incorporated and final discharge points where relevant;
- How the drainage design satisfies SuDS techniques in terms of water quality and attenuation and discharge quantity for the lifetime of the development;
- Calculations showing the pre and post-development runoff flow rate for the critical rainfall event; and
- Detailed modelling of the piped network and storage.

Environment  
Agency

We have no objection to the proposal but highlight the following advice on the water environment for your consideration ahead of determining the application.

The site is not in a source protection zone and is overlaid by an unproductive aquifer. We have not been consulted on the outline planning application and as such we have not reviewed the Phase 2 Ground Investigation Report & Contamination Assessment 14-2380r(b) by Murray Rix Ltd. The base and sides of the former lagoon should be tested and compared to relevant remedial targets to ensure contamination is removed prior to being utilised as an attenuation basin. Further advice can be obtained from our Essex Land & Water Team via our Customer Services line.

## **5        Representations**

- 5.1    No other representations have been received.

## **6        Assessment**

### **The Site**

- 6.1    The site comprises approximately 3.1 hectares of agricultural land (currently used as a pig farm) and a former vehicle repair garage on the western edge of Weeley Heath fronting Clacton Road and Mill Lane. The northern part of the application site was formerly a vehicle repair garage when the B1441 was the main road into Clacton prior to the construction of the A133. The pig farm on the remainder of the site was first started in 1953 and gradually expanded its business over the years.

### **The Proposal**

- 6.2    The proposal is the redevelopment of existing Pig Farm, removal of existing buildings and associated structures. Remediation of contaminated land. Provision of a new residential development providing 10 dwellings accessed via Mill Lane and 36 dwellings accessed via Clacton Road, garages and associated works. The full schedule of accommodation is set out at the end of this report but in summary the development would provide the following:
- 3 x 2-bed houses;
  - 5 x 2-bed bungalows;
  - 17 x 3-bed houses;

- 5 x 3-bed bungalows;
- 15 x 4-bed houses; and
- 1 x 5-bed house.

6.3 The scheme provides for mix of dwellings sizes and types in line with the Council's adopted and emerging planning policies.

### **Architectural Drawings**

- 1410 TPSarb6180616 TSCP – Tree Survey and Constraints Plan
- 1411 10797/100 Rev A Scheme Plan
- 1412 10797/107 Rev A Adoptable Highway Setting Out
- 1413 10797/108 Adoptable Road and Drainage Long-Sections & Schedules Sheet 1 of 2
- 1414 10797/109 Adoptable Road and Drainage Long-Sections & Schedules Sheet 2 of 2
- 1415 10797/110 Rev A Adoptable Road Construction Details – Sheet 1 of 2
- 1416 10797/111 Rev A Adoptable Road Construction Details – Sheet 2 of 2
- 1417 10797/113 Private Drainage and Finished Out Levels Layout – Sheet 1 of 6
- 1418 10797/114 Private Drainage and Finished Levels Layout – Sheet 2 of 6
- 1419 10797/115 Private Drainage and Finished Levels Layout – Sheet 3 of 6
- 1420 10797/116 Private Drainage and Finished Levels Layout – Sheet 4 of 6
- 1421 10797/117 Private Drainage and Finished Levels Layout – Sheet 5 of 6
- 1422 10797/118 Private Drainage and Finished Levels Layout – Sheet 6 of 6
- 1423 10797/120 Private Areas Drainage Construction Details – Sheet 2 of 3
- 1425 10797/119 Private Areas Drainage Construction Details – Sheet 1 of 3
- 1426 10797/121 Private Areas Drainage Construction Details – Sheet 3 of 3
- 1427 10797/122 Private Areas External Works Construction Details
- 1428 10797/302 SuDS Management Plan and System Exceedance Flow Routes
- 1429 LSDP LSDP11400.01 Rev A – Landscape Proposal – Sheet 1 of 2
- 1430 LSDP LSDP11400.02 Rev A – Landscape Proposal – Sheet 2 of 2
- 1431 Proposed Site Plan
- 1432 Proposed Street Scenes
- 1433 Dimensions Plan
- 1434 Floor Plans & Elevations – Plots 1,2 & 3
- 1435 Floor Plans & Elevations – Plots 4, 9, 12, 27 & 28
- 1436 Floor Plans & Elevations – Plots 5, 6, 7 & 8
- 1437 Floor Plans & Elevations – Plots 10, 11, 13, 14, 20 & 21
- 1438 Floor Plans & Elevations – Plots 15, 16, 17 & 19
- 1439 Floor Plans & Elevations – Plot 18
- 1440 Floor Plans & Elevations – Plots 22 & 26
- 1441 Floor Plans & Elevations – Plots 23 & 30
- 1442 Floor Plans & Elevations – Plots 24, 25 & 29
- 1443 Floor Plans & Elevations – Plots 31, 32, 33, 34, 35 & 36
- 1444 Floor Plans & Elevations – Plots 37, 39, 41 & 44
- 1445 Floor Plans & Elevations – Plots 38, 40 & 45
- 1447 Floor Plans & Elevations – Plot 42
- 1448 Floor Plans & Elevations – Plot 43
- 1449 Floor Plans & Elevations – Plot 46
- 1450 Proposed Outbuildings – 1 of 2
- 1451 Proposed Outbuildings – 1 of 2

### **Matters under consideration**

- 6.4 The principle of development has already been established through the grant of outline planning permission (application 15/00541/OUT). The report to Planning Committee on 22<sup>nd</sup> September 2015 considered the following matters:
- Principle of development;
  - Highways, transport and accessibility;
  - Flood risk and drainage;
  - Impact on infrastructure;
  - Open space;
  - Ecology;
  - Contamination;
  - Impact upon neighbours;
  - Council Housing / Affordable Housing;
  - Viability; and
  - Other issues (including loss of agricultural land).
- 6.5 The reserved matters under consideration as part of this application are:
- Layout;
  - Landscape;
  - Scale; and
  - Appearance
- 6.6 This report addresses each of these matters but also provides an update on the discharge of the s106 obligations and relevant planning conditions that were imposed at outline stage. The approval of this application and the discharge of some of these s106 obligations and planning conditions would allow the commencement of development.

### **Layout**

- 6.7 The proposed layout of the scheme involves 36 dwellings accessed via a new access drive from Clacton Road. There are three dwellings facing or siding on to the Clacton Road frontage itself, set back 10 metres (adjoining the existing residential property Dereksville) and 23 metres (adjoining the White Hart pub) and separated from the existing highway by attenuation areas and parking courts. This ensures that the development will not impose upon the street scene too strongly thus retaining a sense of rural character.
- 6.8 Further into the development, properties are laid out in a traditional perimeter block form ensuring wherever possible that dwellings are orientated front-to-front and back-to-back to provide strong definition between public and private areas and to comply with well-established 'secured-by-design' principles. Working with the shape of the site, development has been arranged in a 'horse-shoe' layout with public open space provided in the central part of the site adjoining the remaining open countryside to the north.

### **Northern section: Plots 1-14**

- 6.9 Plots 1 to 3 comprise a group of northeast-facing 2 bed detached and semi-detached houses with courtyard parking to the front, separated from Clacton Road by a green attenuation basin.

- 6.10 Plots 4 to 9 comprise a row of southeast-facing 3-bed detached and semi-detached houses at a right angle to Clacton Road, fronting onto the new access drive and adjoining the open space. Plots 10 and 11 lie immediately opposite plot 7 and are 3-bed semi-detached properties. All of these properties are served by on-plot parking and/or garages.
- 6.11 Plot 12 is a 4-bed detached property which turns the corner, is south-west facing and overlooks the open space along with the adjoining 3-bed semi-detached plots 13. Plots 12 to 14 are all served with garages.
- 6.12 This northern section of the development is served with 2 visitor spaces and follows a traditional adoptable highway and footway arrangement.

#### Eastern section: Plots 15-36

- 6.13 Plots 15 to 19 are arranged around a parking court accessed via the new access drive containing resident and visitor spaces. The properties are 2-bed bungalows which back onto the White Hart Pub and the existing properties 6-14 Rectory Road. Being bungalows as opposed to houses, any potential concerns about overlooking or loss of light and private amenity can be kept to a minimum. The properties and their parking area are located diagonal to the open space and will enjoy views out over that area.
- 6.14 Plots 20 to 22 comprise 3-bed detached and semi-detached properties served by garages and on-plot parking spaces. They are northwest-facing onto the access drive over the open space. Plots 26 and 27 are again 3-bed and similarly look out over the open space. Plots 23, 24, 25, 28, 29 and 30 are arranged in a group behind plots 21, 22, 26 and 27 and most directly back onto properties 16-20 Rectory Road. It is not ideal for properties to front the rear gardens of other properties in this way, but the shape of the site and the horse-shoe arrangement makes it difficult to avoid. Only plots 26 and 28 are affected in this way, but the orientation of plots 23-25 and their distance from plots 26 and 28 will ensure that a reasonable standard of private amenity, security and surveillance can be achieved. Plots 23 to 25 and plots 29 and 30 are large 3-bed bungalows, ensuring minimal impact on the existing properties in Rectory Road and Mill Lane.
- 6.15 Plots 31 to 36 comprise 6 large semi-detached 4-bed properties each served with under-croft and garage parking. They are the last of the properties served by the access drive from Clacton Road and are northeast-facing, with views over the open space.
- 6.16 This central part of the development includes two visitor spaces and utilises shared space to retain a rural character overlooking the open space.

#### Southern section: Plots 37-46

- 6.17 The southern part of the development takes vehicular access from two access drives onto Mill Lane. There is no vehicular connection through to the northern part of the development, but there is a footpath that connects the two parts of the development via the open space.
- 6.18 Plots 42 to 45 are the closest to Mill Lane and are set well back from the highway behind green space, hedging and landscaping to retain a rural character within the street scene.

Properties 42, 43 and 44 are substantial 4 and 5-bed properties that are southwest facing and served with garages and on-plot parking. Plot 42 which adjoins Willow Farm House has a particularly large rear garden, reflecting the more spacious nature of adjoining properties.

- 6.19 Plots 45 and 46 are at a right angle to Mill Lane, are south west facing and are 4-bed detached properties served with on-plot parking and garages. They back onto the open countryside to the northwest.
- 6.20 Plots 37 and 38 are served at the end of the western-most access drive onto Mill Lane and provide a good visual stop at that point. They are 4-bed detached houses served with parking spaces and garages. Plots 39 to 41 are then served separately by the eastern-most access with no connection between the two groups of dwellings. Again, these are 4-bed houses with parking spaces and garages.
- 6.21 The southern part of the site utilises shared surfaces and substantial landscaping to maintain a rural feel and includes 4 visitor spaces.

#### Garden and dwelling sizes

- 6.22 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. All of the plots on this development achieve these minimum requirements and, in some cases, exceed the requirements substantially. The only exception is plot 2 at the very north of the site fronting Clacton Road which is just 4 sqm short of the requirement. The amenity space standards policy needs to be applied flexibly in order to ensure, where necessary, an appropriate layout can be achieved. In this case, the plot is slightly narrow to reflect the limited land available in this part of the site following the inclusion of the access drive and footways to the northwest. Given that the development generally exceeds the required standards comfortably on the vast majority of plots, this small shortfall on one plot is not considered significant enough to warrant refusal or an amendment to the layout.
- 6.23 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) are all well 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 2-bed properties on the site have GIAs of between 77 and 86 sqm; the 3-bed properties range from 100 to 118 sqm; the 4-bed properties range from 135 and 177 sqm; and the single 5-bed property has a GIA of 206 sqm.

#### Conclusions on layout

- 6.24 Officers consider that the proposed layout is acceptable for this location, that the development is well related to the proposed open space and the frontages onto Clacton Road and Mill Lane. The layout seeks to follow well established 'secured-by-design' principles and the bungalows on the site have been located closest to neighbouring properties in Rectory Road and Mill Lane and comply with the 'back-to-back' standards

advocated in the Essex Design Guide. The proposed open space meets with the Council's requirements in terms of size and is well located in respect of the adjoining countryside.

### **Landscape**

- 6.25 The applicants have submitted a landscaping proposal for the development. This shows the provision of trees and hedges for individual properties as well as trees and planting associated with the open space and the site boundaries. The landscaping scheme for the development proposes. The landscaping proposal is required as a condition of the original outline planning permission and the Council's Principal Tree and Landscape Officer has considered the proposal in detail and is satisfied that it represents an acceptable approach.

### **Scale**

- 6.26 The proposed height of properties throughout the site is acceptable for the area with particular care taken to ensuring that the bungalows are located closest to existing properties, thus keeping any concerns over private amenity, overlooking or loss of light to a minimum. Taller properties along the main frontages of the site would be in keeping with the adjoining street scene.

### **Appearance**

- 6.27 Plots 1, 2 and 3 will be of simple traditional design with steep pitches hipped roof, decorative features around the doors and windows and finished in Camtech orange/red brick, burnt flame plain tile, white UPVC windows and fascias and black guttering and downpipes. Illustrative. Plots 4, 9, 12, 27 and 28 are two bedroom houses of traditional style with bay windows to the living room and steep pitched hipped roof finished in multi-buff brick, Cromleigh Graphite slate, white UPVC windows and fascias and black rainwater goods. These designs will feature on the street frontage to Clacton Road and illustrations have been provided showing how they will appear in the context on neighbouring development. Officers consider that the appearance of these dwellings will be very compatible with and complimentary to the area.
- 6.28 Plots 5, 6, 7 and 8 comprise semi-detached 3-bed dwellings of traditional gable-end design, incorporating under-croft parking and decorative door, window and gable details. These properties are to be finished in cream render, artic white cladding with white UPVC windows and fascias and black rainwater goods. These properties are all to be located along the first stretch of the new access drive from Clacton Road and will mainly be seen in context with the other new properties.
- 6.29 Plots 10, 11, 13, 14, 20 and 21 are semi-detached 3-bed houses of simple traditional design with medium pitched roofs and decorative chimneys. There will be decorative featuring around the doors and windows and the finish will be Camtech orange/red brick, Tuscan pantile, white UPVC windows and fascias and black rain water goods. These properties will be located well within the development and will be seen in the context of new properties around them.
- 6.30 Plots 15, 16, 17 and 19 are to be 2-bed bungalows of simple traditional design with steep pitch roof, kitchen skylights and decorative door and porch features. The finish would be red

brick, with one property in white render, Cromleigh Graphite slate or Tuscan pantile with white UPVC windows and fascias and black rain water goods. These dwellings would form their own courtyard and their own character area within the scheme. Plot 18 incorporates a slightly different style finished in render and brick which would compliment the other 2-bed bungalows in that part of the development.

- 6.31 Plots 22 and 26 are 3-bed houses of traditional neo inter-war suburban style with deep plan layout, front bay window and decorative features around the doors and windows, steep pitched roof and front gable and a fire-place and working chimney. The properties are to be finished in red brick, white render burnt flame plain tile with white UPVC windows and fascias and black rain water goods. Located opposite the open space and book-ending the secondary access road into the area of larger bungalows, this is an appropriate design for its location.
- 6.32 Plots 23, 25 and 30 comprise the larger bungalows to be located at the far east of the site. They are to be of simple design with integral garage and will employ the use of multi-buff brick, Cromleigh Graphite slate, white UPVC windows and fascias and black rain water goods. Plots 24 and 29 adopt a similar appearance but will include gable ends and Olde Horesham brick and white render. These bungalows will form their own character area within the development.
- 6.33 Plots 31, 32, 33, 34, 35 and 36 comprise large 4-bed semi-detached properties with under-croft parking, attractive traditional bay window, doorway and chimney features. The proposed finish is Horesham olde brick, Flanders Plain tile, neo pantile and sailcloth cladding in the link area. The windows and fascias will use white UPVC along with black rainwater goods. The properties will also include a large family area to the rear with skylights and bi-fold garden doors. Positioned to the south of the public open space, these properties will particularly attractive in their setting.
- 6.34 Plots 37, 39, 41 and 44 are large 4-bed detached houses of traditional design, double-bay windows, chimney with double aspect to the rear and decorative window and door features throughout. Located at the southern phase of the development with access off Mill Lane, some will form a visual stop from the Mill Lane access points and give the impression of a small and secluded rural development. Multi-buff brick and Cromleigh Graphite slate along with white UPVC windows and fascias and black rain water goods will be used.
- 6.35 Plots 38, 40 and 45 are 4-bed properties adopting a more traditionally rural cottage or villa appearance with single gable end, bay window, chimney and dormer windows. Decorative features around doors and windows throughout with multi-buff brick and Tuscan pantile being used alongside white UPVC windows and fascias and black rain water goods. These properties will also be located at the Mill Lane end of the development and will provide an appropriate style of dwelling for this location.
- 6.36 Plot 42 is the large 5-bed property to be located adjoining Willow Farm House. It seeks to adopt a traditional rural feel through the use of dormers at first floor level, a weatherboarding 'barn-extension'-style wing and other traditional features including a bay window, working chimney and high pitch roof.

- 6.37 The proposed designs comprise traditional and decorative features and mix of materials that reflect the mixed nature of development already established in the area and in rural areas generally.

#### **Discharge of planning obligations**

- 6.38 Outline planning permission was granted following the completion of a s106 legal agreement dated 18<sup>th</sup> March entered into by the Council, Essex County Council, the landowners and the developers. The s106 agreement contains three schedules of obligations as summarised below.

#### **Schedule 1 – Viability**

- 6.39 Schedule 1 requires the owner to submit a viability assessment to the Council, alongside the reserved matters application, to be independently scrutinised at the owner's cost. The purpose of the assessment is to ascertain how much of a financial contribution the development will make towards affordable housing and school provision. At the time of the outline planning application, the costs of remediating the site from any contamination, given its former use, and their affects on the overall economic viability of the development and its ability to make financial contributions were then unknown. Development cannot commence until the Council has notified the owner of the required level of affordable housing and education contributions and until this has been agreed between the Council and the owners.
- 6.40 The applicants have submitted a Viability Assessment which is commercially sensitive and cannot be released or referred to (with any specifics) in the public domain. The conclusions of the assessment are being independently reviewed on the Council's behalf and if the Committee is minded to approve, planning permission will not be issued until the position regarding affordable housing and education is established.

#### **Schedule 2 – Education Contributions**

- 6.41 Schedule 2 requires the owners to make financial contributions towards early years and childcare provision, primary school provision based on Essex County Council's standard formula, but adjusted as necessary to reflect the results of the viability assessment.

#### **Schedule 3 – Public Open Space**

- 6.42 Schedule 3 requires the owners to submit an open space specification and management plan for the Council's approval before any of the new dwellings can be occupied and that the open space itself be laid out ready for use before 80% of the dwellings can be occupied.

#### **Schedule 4 – Affordable Housing**

- 6.43 Schedule 3 requires the owner to submit an affordable housing plan along with the reserved matters application that will indicate the location of two two-bedroom dwellings to be transferred to the Council for £1 each to be used for affordable housing – if viable.



### **Discharge of planning conditions**

- 6.44 Outline planning permission was granted subject to 33 planning conditions. Some of the conditions must be discharged either alongside the reserved matters application or before development can start. The applicant has submitted details to discharge some of the conditions which have been considered or are still under consideration by Officers under a separate delegated process. Here is an update on the progress in discharging these conditions for members of the Committee to note.

#### **Drainage ditch/watercourse**

- 6.45 Condition 7 under the outline planning permission required that *“prior to the first use of the access hereby permitted onto Clacton Road, details of the construction and future maintenance of the necessary bridging or piping of the drainage ditch/watercourse shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority (Essex County Council).”*
- 6.46 Condition 11 required that *“prior to the first use of the accesses hereby permitted onto Mill Lane, details of the construction and future maintenance of the necessary bridging or piping of the drainage ditch/watercourse shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority (Essex County Council).”*
- 6.47 The applicant has advised that a private management company will be arranged which will be responsible for all un-adopted but communal drainage and public open space areas and that all new dwelling owners will contribute to the management company. Details of the bridging and piping of the drainage ditch and watercourse have been submitted and these have been forwarded to Essex County Council's drainage team for comment. ECC's initial comments have led to some minor revisions to the proposed layout.

#### **Vehicular access and vehicular crossing**

- 6.48 Condition 12 required that *“prior to first occupation of the development hereby permitted, the proposed single vehicular accesses shall be constructed at right angles to the proposed highway boundary and to a width of 3.7 metres, each shared vehicular access shall be constructed at right angles to the proposed highway boundary and to a width of 5.5 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.”* These details are contained within the application drawings and ECC Highways have been consulted. .

#### **Bicycle storage**

- 6.49 Condition 16 required that *“prior to commencement of the development hereby permitted, details of the provision for the storage of bicycles for each dwelling, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted site and shall be maintained free from obstruction at all times for that sole purpose in perpetuity.”* The applicant has submitted drawings that provide these details and ECC Highways have been consulted.

#### Vehicular turning facility

- 6.50 Condition 18 required that *“prior to commencement of the development hereby permitted, a vehicular turning facility for service and delivery vehicles of at least size 3 dimensions and of a design which shall be approved in writing by the Local Planning Authority, shall be provided within the site and shall be maintained free from obstruction in perpetuity.”* These details are contained within the application drawings and ECC Highways have been consulted.

#### Surface water drainage scheme

- 6.51 Condition 22 required that *“before each phase of development approved by this planning permission, a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, should be submitted to and approved in writing by the local planning authority. It shall be based on sustainable drainage principles as outlined in the approved Flood Risk Assessment (FRA) referenced Job 10797, dated March 2015.”*
- 6.52 Condition 23 required that *“the development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.”*
- 6.53 Condition 24 required that *“no drainage works shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.”*
- 6.54 As above, ECC’s drainage team has been consulted on the information provided and their initial comments have led to some minor revisions to the proposed layout.

#### Hard and soft landscaping

- 6.55 Condition 25 required that *“no development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication “BS 5837: 2012 Trees in relation to design, demolition and construction.”* The Council’s Principal Tree and Landscape Officer has indicated that the information provided is sufficient to enable condition 25 to be discharged.

#### Ecological management

- 6.56 Condition 27 required that *“before any development commences, and concurrently with the submission of Reserved Matters specified in Condition 1 above, a detailed ecological management scheme and mitigation plan shall be submitted to and approved in writing by*

*the Local Planning Authority. The scheme, which shall include a timetable for its implementation, shall include the details set out in the Ecological Assessment produced by Eco-Planning UK dated 18th February 2015. The key recommendations/measures approved shall be implemented in accordance with the approved works before occupation of the hereby approved development.”* The applicant has submitted an Ecological Assessment, a Bat Scoping Survey, a Bat Foraging Survey and a Reptile Survey which reflect the recommendations of the initial ecological work. These are being checked by Officers.

#### Remediation method statement

- 6.57 Condition 28 required that *“following the removal of the old structures on site and prior to any further development of the site, a further full contaminated land assessment shall be carried out and a remediation method statement shall be submitted to and approved in writing by the Local Planning Authority in accordance with those findings and recommendations.”* The applicant has submitted a Phase 2 Ground Investigation & Contamination Assessment and it is proposed that the necessary remediation method statement will be produced on completion of the onsite clearance. These are being considered by the Council’s Environmental Health team.

#### Asbestos survey

- 6.58 Condition 29 required that *“prior to the demolition of existing buildings an asbestos survey detailing methods of removal and disposal shall be submitted to and approved in writing by the Local Planning Authority”*. The applicant has submitted Demolition Asbestos Survey which indicates that Asbestos was found. It is proposed that a full method statement for the removal of the Asbestos will be provided by a specialist prior to the commencement of any building works. This survey is also being considered by the Council’s Environmental Health team.

#### Construction method statement

- 6.59 Condition 30 required that *“no development shall take place before a method statement for the construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved method statement. Details submitted in respect of the method statement, incorporated on a plan, shall provide for wheel cleaning facilities during the excavation, site preparation and construction stages of the development. The method statement shall also include details of the loading and unloading of plant and materials, hours of construction, dust suppression strategy, means of recycling materials, the provision of parking facilities for contractors during all stages of the development (excavation, site preparation and construction) and the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials.”* The applicant has submitted a detailed Construction Method Statement which is being considered by the Council’s Environmental Health team.

#### Implementation measures

- 6.60 Condition 32 required that *“prior to the commencement of development, a scheme for the provision and implementation of water, energy and resource efficiency measures, during the*

*construction and occupational phases of the development shall be submitted to and agreed, in writing, with the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetables as may be agreed."* A statement has been submitted which is being considered by the Environmental Health Team.

- 6.61 The applications to approve reserved matters and to discharge the relevant conditions indicate that the developer is keen to deliver the scheme within the relevant time frames to contribute towards housing supply in the district.

#### **Schedule of accommodation**

<b>Plot</b>	<b>Size/Type</b>	<b>Gross internal area (sqm)</b>	<b>Garden size (sqm)</b>	<b>Parking</b>	<b>Policy compliant ?</b>
Plot 1	2 bed (4 person) semi-detached house	77.6	132	2 court	Yes
Plot 2	2 bed (4 person) semi-detached house	77.6	71	2 court	No
<b>Plot</b>	<b>Size/Type</b>	<b>Gross internal area (sqm)</b>	<b>Garden size (sqm)</b>	<b>Parking</b>	<b>Policy compliant ?</b>
Plot 3	2 bed (4 person) detached house	78.6	81	2 court	Yes
Plot 4	3 bed (5 person) detached house	118.3	128	3 on plot	Yes
Plot 5	3 bed (6 person) semi-detached house	103.8	139	3 on plot	Yes
Plot 6	3 bed (6 person) semi-detached house	103.8	186	3 on plot	Yes
Plot 7	3 bed (6 person) semi-detached house	103.8	240	3 on plot	Yes
Plot 8	3 bed (6 person) semi-detached house	103.8	141	3 on plot	Yes
Plot 9	3 bed (5 person) detached house	118.3	193	3 on plot	Yes
Plot 10	3 bed (5 person) semi-detached house	100.0	138	3 on plot	Yes
Plot	3 bed (5 person)	100.0	101	3 on plot	Yes

11	semi-detached house				
Plot 12	3 bed (5 person) detached house	118.3	152	3 on plot	Yes
Plot 13	3 bed (5 person) semi-detached house	100.0	104	3 on plot	Yes
Plot 14	3 bed (5 person) semi-detached house	100.0	101	3 on plot	Yes
Plot 15	2 bed (4 person) bungalow	85.0	227	2 court	Yes
Plot 16	2 bed (4 person) bungalow	85.0	168	2 court	Yes
Plot 17	2 bed (4 person) bungalow	85.0	415	2 court	Yes
Plot 18	2 bed (4 person) bungalow	83.0	173	2 court	Yes
Plot 19	2 bed (4 person) bungalow	85.0	187	2 court	Yes
Plot 20	3 bed (5 person) semi-detached house	100.0	101	3 on plot	Yes
<b>Plot</b>	<b>Size/Type</b>	<b>Gross internal area (sqm)</b>	<b>Garden size (sqm)</b>	<b>Parking</b>	<b>Policy compliant ?</b>
Plot 21	3 bed (5 person) semi-detached house	100.0	124	3 on plot	Yes
Plot 22	3 bed (5 person) semi-detached house	119.0	142	3 on plot	Yes
Plot 23	3 bed (6 person) bungalow	114.0	316	3 on plot	Yes
Plot 24	3 bed (6 person) bungalow	114.0	305	3 on plot	Yes
Plot 25	3 bed (6 person) bungalow	114.0	225	3 on plot	Yes
Plot 26	3 bed (5 person) detached house	119.0	147	3 on plot	Yes
Plot 27	3 bed (5 person) detached house	118.3	121	3 on plot	Yes
Plot 28	3 bed (5 person) detached house)	118.3	142	3 on plot	Yes
Plot 29	3 bed (6 person) bungalow	114.0	217	3 on plot	Yes
Plot 30	3 bed (6 person) bungalow	114.0	339	3 on plot	Yes

Plot 31	4 bed (7 person) semi-detached house	135.0	101	3 on plot	Yes
Plot 32	4 bed (7 person) semi-detached house	135.0	114	3 on plot	Yes
Plot 33	4 bed (7 person) semi-detached house	135.0	114	3 on plot	Yes
Plot 34	4 bed (7 person) semi-detached house	135.0	114	3 on plot	Yes
Plot 35	4 bed (7 person) semi-detached house	135.0	114	3 on plot	Yes
Plot 36	4 bed (7 person) semi-detached house	135.0	114	3 on plot	Yes
Plot 37	4 bed (8 person) detached house	177.0	136	4 on plot	Yes
Plot 38	2 bed (7 person) detached house	167.0	186	4 on plot	Yes
<b>Plot</b>	<b>Size/Type</b>	<b>Gross internal area (sqm)</b>	<b>Garden size (sqm)</b>	<b>Parking</b>	<b>Policy compliant ?</b>
Plot 39	4 bed (8 person) detached house	177.0	213	4 on plot	Yes
Plot 40	4 bed (7 person) detached house	167	198	4 on plot	Yes
Plot 41	4 bed (8 person) detached house	177.0	238	4 on plot	Yes
Plot 42	5 bed (9 person) detached house	206.0	337	4 on plot	Yes
Plot 43	4 bed (7 person) detached house	166.0	172	4 on plot	Yes
Plot 44	4 bed (8 person) detached house	177.0	202	4 on plot	Yes
Plot 45	4 bed (7 person) detached house	167.0	160	3 on plot	Yes
Plot 46	4 bed (7 person) detached house	166.0	189	3 on plot	Yes

### **Conclusions**

- 6.62 The principle of development has already been established through the grant of outline planning permission and the reserved matters proposal is considered by Officers to be acceptable. The recommendation is therefore approval.

### **Background Papers**

None