

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	19/01/2021
Planning Development Manager authorisation:	JJ	19/01/2022
Admin checks / despatch completed	ER	19.01.2022
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Application: 21/02014/FUL **Town / Parish:** Weeley Parish Council

Applicant: Ms Charlotte Bennett - DAG Properties

Address: Land off Connaught Road Weeley Essex

Development: Proposed erection of seven dwellings and three garage buildings.

1. Town / Parish Council

Weeley Parish Council
21.12.2021

Weeley Parish Council considered this application at its meeting on 20 December 2021. It resolved to object to the application.

This appears to be creeping development that is encroaching on the green gap between two villages.

Housing numbers have already been achieved and this application is outside of the village envelope as defined in the Local Plan.

Little Clacton Parish
Council
29.12.2021

This application sits on the border of the two villages. The local plan holds much weight and this is a further expansion into open countryside, outside of the settlement boundary.

2. Consultation Responses

ECC Highways Dept
19.01.2022

The Highway Authority observes that Connaught Road is classified as a Private Road and therefore does not object to the proposals as submitted.

Informative:

1: The proposed layout (drawing numbered P01 and P02) appears to conform to current standards; however, the connection to the existing carriageway and the individual vehicular accesses should be to the requirements and standards of the respective Street Manager(s).

2: As Connaught Road is classified as a Private Road, the applicant should therefore be requested to demonstrate the rights of pass and repass to the proposed development site exist in perpetuity and that the applicant also has the necessary permissions to make a vehicular connection(s) to Connaught Road.

3: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

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

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

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

Designing out Crime
Office, Essex Police
15.12.2021

Essex Police considers that it is important that this development is designed incorporating the maximum achievable benefit of Crime Prevention Through Environmental Design (CPTED) for which Secured by Design (SBD) is the preferred enabler. This reflects sections 91 and 127 of the NPPF which support the need for safe and secure developments. Good design should aim to achieve healthy, inclusive and safe places, which are accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

There is no reference to security in this application. As such, we would like to invite the developers to contact us to discuss embedding CPTED into this development to comply with the Tendring Local Plan policy LP4, which requires developments are safe, secure places to live, to 'minimise the opportunities for crime and anti-social behaviour by ensuring good surveillance, clear definition between public and private spaces'.

It is strongly recommended that the developer seeks to achieve Secured By Design - Homes 2019 accreditation for this development. Essex Police provide a no cost, impartial advice service to applicants who require advice on Crime Prevention Through Environmental Design and Secured by Design and invites them to contact Essex Police via designingoutcrime@essex.police.uk to discuss this further.

3. Planning History

No site specific history.

Planning history at adjacent sites covered in the main assessment below.

4. Relevant Policies / Government Guidance

The following Local and National Planning Policies are relevant to this planning application:

National Planning Policy Framework July 2021 (the Framework)

National Planning Practice Guidance (the NPPG)

Adopted Tendring District Local Plan 2007 (part superseded)

QL11 Environmental Impacts and Compatibility of Uses (part superseded)

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

EN1 Landscape Character

EN6 Biodiversity

EN11a Protection of International Sites: European Sites and Ramsar Sites

COM6 Provision of Recreational Open Space for New Residential Development

COM31a Sewerage and Sewage Disposal

TR1a Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

Relevant Section 1 Policies (adopted)

SP1 Presumption in Favour of Sustainable Development

SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

SP3 Spatial Strategy for North Essex

SP4 Meeting Housing Needs

SP7 Place Shaping Principles

Relevant Section 2 Policies (emerging)

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

HP5 Open Space, Sports and Recreation Facilities

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

CP1 Sustainable Transport and Accessibility

Supplementary Planning Guidance

Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy SPD 2020 (RAMS)

Essex County Council Parking Standards 2009 (Parking SPD)

Tendring Provision of Recreational Open Space for New Development SPD 2008

Status of the Local Plan

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26 January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. On 24 November 2021, the Council received the Planning Inspectors' final report on the legal compliance and soundness of Section 2 of the emerging Local Plan. The report has confirmed, that with the inclusion of a number of 'Main Modifications' (which have already been the subject of formal public consultation), the Plan is legally compliant and sound and can now proceed to adoption. The report was considered by the Planning Policy and Local Plan Committee on 11 January 2022, which recommend adoption of the Section 2 Local Plan to Full Council on 25 January 2022. On adoption, the new Section 2 Local Plan will join the new Section 1 Local Plan to form the 'development plan' for Tendring and the old 2007 Local Plan will be superseded in full.

Now that the Inspectors' final report is received, the Section 2 Local Plan has virtually reached the final stage of preparation, all objections have been resolved and the Inspector has confirmed that the Plan is sound and therefore in conformity with the Framework. For these reasons, Officers now advise that the emerging Plan should now carry 'almost full weight' in decision making.

Until the new Local Plan is adopted in January 2022, the 2007 adopted Local Plan, legally, will still form part of the 'development plan' and there will still be a requirement to refer to the 2007 Local Plan in decision making. However, under certain circumstances the level of weight to be afforded to the policies in the 2007 Plan may be reduced to very limited weight given that a more up to date Plan has progressed to such an advanced stage of the plan making process.

In relation to housing supply:

The Framework requires Councils 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, to account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or if housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, the 'tilted balance' at paragraph 11 d) ii) of the Framework is engaged. This requires applications for housing development be granted permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Following the adoption of Section 1 of the 2013-33 Local Plan and the Council's 'Objectively Assessed housing Need' of 550 dwellings per annum there is no housing shortfall. The Council is able to report a comfortable surplus of housing land supply over the 5-year requirement. The 'tilted balance' at paragraph 11 d) ii) of the Framework does not therefore apply to applications for housing.

5. Officer Appraisal (including Site Description and Proposal)

Site Context and Planning History

The application site is located on the eastern side of Weeley Road/Clacton Road, to the north of the existing Connaught Road. The site falls within the Parish of Weeley but is adjacent to Little Clacton to the south-east. The site lies outside of the extended Settlement Development Boundary (SDB) of Little Clacton as set out within the emerging Tendring District Local Plan 2013-2033 and Beyond and Main Modifications document. Whilst the site is outside the SDB, in terms of relationship and connectivity to any settlement, the proposed dwellings are considered to relate more to the facilities within the village of Little Clacton.

The application site measures approximately 0.34 hectares in size and forms part of an existing field with an open frontage onto Weeley Road/Clacton Road. On the opposite side of Connaught Road, directly opposite the site, are a mixture of bungalows and chalet style properties dating from the 1950's onwards. A number of recently constructed bungalows continue to the eastern end of Connaught Road. Further development has recently commenced again to the eastern end of Connaught Road, on the same side and directly adjacent to the application site.

Description of Proposal

The application seeks full planning permission for the erection of seven, single storey market dwellings of a similar layout and approved and mostly constructed developments to the east of the site accessed via Clacton Road.

The proposed development would utilise the existing access road, taken from Clacton Road to the west of the site with access leading off the road into the seven plots. Each dwelling would be provided with private amenity (garden) space to the rear.

An amended plan has been received to show appropriate connection to the adopted highway for access to the development.

Additional information has been received from the agent via email confirming that the development will connect to the main sewer.

Assessment

- Principle of Development: Plan-led Approach;
- Visual and Landscape Impact;
- Design and Appearance;
- Trees and Landscaping;
- Residential Amenities;
- Highway Considerations and Parking Provision;
- Environmental Protection;
- Financial Contribution - Recreational Disturbance;
- Financial Contribution - Open Space and Play Space; and,
- Representations.

Principle of Development: Plan-led Approach

The site is located beyond the identified Settlement Development Boundary (SDB) for Weeley and Little Clacton as identified in both the adopted 2007 and emerging Section 2 Local Plans, and the proposal is not for an exception to deliver affordable housing. The SDB was enlarged to account for the planning and appeal decisions of the adjacent sites made at a time when the Council were unable to demonstrate a 5 year housing land supply and when the tilted balance applied.

Under current and emerging development plan policy, the proposed development would extend beyond the area planned to provide growth for this settlement, therefore, this would not be an appropriate site for the housing proposed. Whilst the site is directly adjacent to the SDB, the growth for this area has been accounted for within the already extended red line boundary and having regard to the Council spatial strategy policies the development of this site is not necessary to meet housing needs or targets. The proposal therefore gives rise to harm through failing to comply with a statutory plan-led approach to the location of future housing. This plan-led approach is endorsed through the NPPF as the means to bring sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. In view of this, the proposal's conflict with policy gives rise to a significant degree of harm. The spatial strategy of Policy SP3 and place shaping principles of Policy SP7 reflect the Framework's sustainable development objectives and the proposal's conflict with both is given full weight.

Visual and Landscape Impact

The proposed scheme gives rise to conflict with emerging Local Plan Policy Section 1 Policy SP7, the place shaping principles of which seek that all new developments respond positively to local character and context to preserve and enhance the quality of existing places and their environs. In addition, this scheme would conflict with adopted Local Plan Policy EN1 and emerging Local Plan Section 2 Policies SPL3 and PPL3. These seek, amongst other things, to ensure that development is appropriate in its locality and does not harm the appearance of the landscape being consistent with the objectives of the NPPF in respect of achieving well-designed places through the conservation of landscapes.

The development of the remainder of Connaught Road up to Weeley Road would reduce the amount of space between the edge of the village and the houses to the north and be seen as an encroachment into the countryside, appearing prominent and visually harmful as you enter the village from Weeley. The retention of this portion of the remaining open field is considered essential to maintain a sense of spaciousness and maintain the character of both the landscape and the village separation.

The proposal would result in encroachment into the countryside and visual harm in conflict with saved Policy EN1, adopted Policy SP7, emerging Policies PPL3 and Section 12 of the National Planning Policy Framework.

Design and Appearance

Adopted Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context. Emerging Policies SPL3 and LP4 of Section 2 of the 2013-33 Local Plan also require, amongst other things, that developments deliver new dwellings that are designed to high standards and which, together with a well-considered site layout, create a unique sense of place - avoiding the use of ubiquitous standard house types. Paragraph 127 of the Framework requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

Whilst there is a mixture of single and two-storey dwellings in this location, bungalows dominate and inform the overall character of this part of Clacton/Weeley Road. Connaught Road itself is made up of dwellings in a linear arrangement. The proposal for bungalows in a linear arrangement therefore represents an appropriate response to the pattern of built development in the vicinity.

The 7 dwellings are of the same design but vary due to the attached and detached garages handed nature of some plots. The dwellinghouses would utilise a similar palette of materials to those constructed to the east of the site.

Overall, the detailed design, single storey scale and linear layout are considered acceptable. However, the introduction of dwellings in this location is considered harmful to the character and appearance of the area as set out above.

Trees and Landscaping

The Soft Landscaping Plan shows new planting in the area adjacent to the southern elevation of plot 1. The new planting shown is acceptable however it would be desirable to secure the planting of additional trees in the rear gardens of the proposed dwellings to help to partially screen the development when viewed from the main road (B1441).

The tree species selected and shown on the landscape drawing would be acceptable if replicated in the gardens as described above. If the proposed changes to the soft landscaping proposal were to be made then the planting scheme is otherwise acceptable.

This could be sufficiently controlled by the imposition of an appropriately worded landscaping condition. Therefore, it has not been necessary to seek an amendment to the scheme due to a refusal recommendation.

Residential Amenities

Part-Saved Policy QL11, adopted Policy SP7, and emerging Policy SPL3, together, seek to avoid land use conflict and protect the amenity of neighbours. Due to the layout, single storey scale and siting proposed in relation to existing and forthcoming development, the proposal would not give rise to any unacceptable adverse effects on the daylight, natural light or privacy enjoyed by existing or future occupants, nor would it be overbearing in their outlook.

Highway Considerations and Parking Provision

Paragraph 110 of the National Planning Policy Framework 2021 seeks to ensure that safe and suitable access to a development site can be achieved for all users. The adopted Tendring District Local Plan (2007) Saved Policy TR1a states that development affecting highways should seek to reduce and prevent hazards and inconvenience to traffic. Emerging Policies SPL3 and CP1 of the emerging Tendring District Local Plan 2013-2033 and Beyond seek to ensure that access to a development site is practicable; that the highway network will be able to safely accommodate the traffic generated; and that the design and layout of the development provides safe and convenient access.

Furthermore, the Essex Parking Standards 2009 require 2 parking spaces per 2+ bedroom dwellings 2.9 metres x 5.5 metres in dimension. Where garages are being relied upon, these should have an internal dimension of 7 metres x 3 metres to comply with current standards.

Three garage blocks would be shared by six dwellinghouses and one dwellinghouse would have an integrated garage to the side, with each garage providing one parking space for each plot that it serves. The garage buildings would be set alongside the proposed dwellinghouses towards the rear, with a shared driveway providing further on-site parking.

The Highway Authority raises no objection to the development due to Connaught Road being private. The access is established and provides appropriate visibility in both directions. Therefore, there is nothing to suggest that the development would give rise to any harm to highway safety that would warrant refusal of planning permission on highway safety grounds.

Environmental Protection

Given the historic use of the land, the Council's Environmental Protection Team would request that investigations be carried out to establish whether the site is contaminated in any way, prior to the commencement of the development proposals. Such investigations shall be carried out in accordance with a scheme which shall first be agreed in writing with the Local Planning Authority.

Furthermore, the submission and approval of a Construction Method Statement would be required prior to commencement of development in order to minimise potential nuisance to nearby existing residents in terms of noise control, emission control and dust control.

These requirements could be sufficiently controlled by the imposition of appropriately worded conditions. Adherence to such conditions would significantly reduce the likelihood of public complaint and potential enforcement action by Environmental Protection.

Financial Contribution - Recreational Disturbance

Under the Habitats Regulations, a development which is likely to have a significant effect or an adverse effect (alone or in combination) on a European designated site must provide mitigation or otherwise must satisfy the tests of demonstrating 'no alternatives' and 'reasons of overriding public interest'. There is no precedent for a residential development meeting those tests, which means that all residential development must provide mitigation. The contribution is secured by unilateral undertaking.

This residential development lies within the Zone of Influence. The site is not within or directly adjacent to one of the European designated sites, but is sited approximately 5020 metres from the Colne Estuary Ramsar and SPA and 4800 metres from Hamford Water SPA and SAC. New housing development within the ZoI would be likely to increase the number of recreational visitors to the Colne Estuary and Essex Estuaries, and in combination with other developments it is likely that the proposal would have significant effects on the designated site. Mitigation measures must therefore be secured prior to occupation.

A proportionate financial contribution has not been secured in accordance with the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) requirements. As submitted, there is no certainty that the development would not adversely affect the integrity of European Designated Sites in accordance with policies EN6 and EN11a of the Saved Tendring District Local Plan 2007, Policy PPL4 and SP2 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

Planning Obligation – Open Space and Play Space Contribution

Policy COM6 of the adopted Tendring District Local Plan 2007 states "For residential development below 1.5 hectares in size, developers shall contribute financially to meet the open space requirements of the development in proportion to the number and size of dwellings built". These sentiments are carried forward within emerging Policy HP5. In line with the requirements of saved Policy COM6 and emerging Policy HP5, the Council's Open Space Team have been consulted on the application to determine if the proposal would generate the requirement for a financial contribution toward public open or play space.

The site falls within the Parish of Weeley but is adjacent to Little Clacton to the south-east. The site lies outside of the development boundary for either Weeley or Little Clacton but is adjacent to the defined Settlement Development Boundary of Little Clacton as set out in the Tendring District Local Plan (2007) and abuts the extended boundary as set out within Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017) (which has been extended to include the approved development).

There is currently a deficit of -2.18 hectares of equipped play and formal open space in Weeley. And a deficit of -2.22 hectares in Little Clacton.

Although no contribution has been sought previously for this area there is a need to increase the play provision to cope with any additional development. The closest play area to the development is located at Plough Corner 0.6 miles from the development. Due to the significant lack of play and open spaces facilities in the area, a contribution is justified and relevant to cope with any additional development. Little Clacton Parish Council have plans in place to create additional facilities and improvements at The Parish Playing Fields, Plough Corner.

A completed unilateral undertaking to secure the above-mentioned planning obligation has not been provided and the application is therefore contrary to the above-mentioned policies.

Representations

Weeley Parish Council and Little Clacton Parish Council both object to the development. The objections raised can be summarised and addressed as follows (officer response in italics):

- This application sits on the border of the two villages outside of the settlement boundary.
- Housing numbers have already been achieved.
- Creeping development that is encroaching on the green gap between two villages.

The location of the site outside of the development boundary and harm to the character of the area both form reasons for refusal as addressed above.

2 letters and a petition of 5 signatures has been received in objection to the application. The objections raised can be summarised and addressed as follows (officer response in italics):

- Unnecessary application outside of the settlement boundary.
- Will lead to further development of the field, harmful to the character of the area.

The location of the site outside of the development boundary and harm to the character of the area both form reasons for refusal as addressed above.

- Increase in traffic and harm to highway safety.
- No turning circles in a Cul-de-sac environment.

In the absence of an objection from ECC Highways, on the basis that there is an existing access with appropriate visibility, highway safety cannot form a reason for refusal.

- No provision for drainage.

The agent has provided details of drainage. If this information is incorrect this would be covered as part of the building regulations stages of development.

- No provision for street lighting.

Unfortunately, as the road is unadopted, any lighting would be the responsibility of residents with a shared right over the access road.

- Harmful impact on the quality of life of the residents of Connaught Road.

Given the location of the site directly adjacent to Clacton/Weeley Road, any additional noise or disturbance from the development could not be considered harmful enough to warrant refusal of planning permission on this ground. Other residential amenities have been addressed above.

- Will destroy all the remaining hedges & trees, killing of the habitat for the wildlife.

Additional landscaping and habitat can be secured through conditions.

Conclusion

The application site lies outside of any Settlement Development Boundary as defined within both the adopted Tendring District Local Plan (2007) and the emerging Tendring District Local Plan 2013-2033 and Beyond (inc. Main Modifications). Regardless of the proximity of the site in relation to services and amenities, there is no longer a requirement to consider such sites due to their location outside of the defined settlement development boundaries, as the planned growth for the District to meet housing need has been established. The benefits of the scheme are limited to 7 additional market dwellings at a time when the council has a very healthy 5 year housing land supply (currently 6.66 years) – very limited weight is therefore attached to this benefit. Other benefits include job creation during the construction phase and additional spend of the future 7 households in the local

economy. Again very limited weight is attached to these benefits. The adverse impacts of the proposal both on the character of the locality and on the Council's ability to manage growth through the plan-led approach, are not outweighed by these benefits or other material considerations. The development is unnecessary and there are no public benefits that might warrant the proposal being considered in an exceptional light.

The application also fails to provide a completed unilateral undertaking to secure the planning obligations for financial contributions toward open space and recreational disturbance – these elements further weigh against the proposal.

The application is therefore recommended for refusal.

6. Recommendation

Refusal - Full

7. Reasons for Refusal

- 1 The site lies outside of the extended Settlement Development Boundary of Little Clacton as set out within the emerging Tendring District Local Plan 2013-2033 and Beyond and Main Modifications document. Following the adoption of Section 1 of the 2013-33 Local Plan there is no housing shortfall. The Council is able to report a comfortable surplus of housing land supply over the 5-year requirement. The 'tilted balance' at paragraph 11 d) ii) of the Framework does not therefore apply to applications for housing.

The proposed development would extend beyond the area planned to provide growth for this settlement. Having regard to the spatial strategy and place shaping principles set out in the adopted Local Plan 2013-2033 Section 1 Policy SP3 and Policy SP7 this would not be an appropriate site for the housing proposed. The proposal therefore gives rise to harm through failing to comply with a statutory plan-led approach to the location of future housing. This plan-led approach is endorsed through the NPPF as the means to bring sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. In view of this, the proposal's conflict with policy gives rise to a significant degree of harm.

- 2 The development of the remainder of Connaught Road up to Weeley Road would reduce the amount of space between the edge of the village and the houses to the north and be seen as an encroachment into the countryside, appearing prominent and visually harmful as you enter the village from Weeley. The retention of this portion of the remaining open field is important to maintain a sense of spaciousness and maintain the character of both the landscape and the village separation.

The proposal would be harmful to the character and appearance of the area and the local landscape as it would result in encroachment into countryside and visual harm. As a result, the proposal would be contrary to saved Policy EN1, adopted Policy SP7, emerging Policies PPL3 and LP7, and Section 12 of the National Planning Policy Framework.

- 3 In the absence of a unilateral undertaking in accordance with the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy SPD, the Council cannot be certain that the proposal would not harm habitat sites of ecological interest. The proposal is therefore contrary to saved Policy COM6, adopted Policy SP2, emerging Policy DI1, and Section 15 of the National Planning Policy Framework.
- 4 In the absence of a unilateral undertaking in accordance with the Provision of Recreational Open Space for New Development SPD, the public open space and recreation infrastructure requirements of the development would not be met. The proposal would thereby be in conflict with saved Policy COM6 and emerging Policy LP5, and Section 8 of the National Planning Policy Framework.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has sought to act positively and proactively in determining this application by seeking to discuss matters of concern with the applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.

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