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Application:	16/00527/FUL	Town / Parish: Little Bentley Parish Council
Applicant:	Rose (Builders) Properties Ltd	
Address:	Land adjacent 6 Manningtree Road, Little Bentley, CO7 8SP	
Development:	Erection of 6 No. detached new dwellings, associated garaging and access road.	

1. **Executive Summary**

- 1.1. Outline planning permission for 8 dwellings was refused on 07 June 2016 (16/00533/OUT), and a later application for the outline erection of 6 dwellings – all matters reserved - was approved by the Planning Committee on 02 Nov 2016. (Ref 16/01370/OUT). The current application is a full application [rather than a reserved matters submission], however it was clear that the Planning Committee wanted to review the detailed application following the approval of the outline.
- 1.2. In accordance with Members' request the current application is before Members seeking approval for a detailed scheme for the erection of 6 detached houses and garages, with a single, central access point and the retention of the feature front boundary hedge.
- 1.3. Little Bentley does not have a defined settlement boundary in the Adopted Local Plan as Policy QL1 does not define Little Bentley as a settlement for development but there is a defined settlement boundary within the emerging Local Plan, although the site lies outside of that boundary. However, the principle of residential development has been accepted by the granting of outline planning permission.
- 1.4. The site is accessed from Manningtree Road with a private drive serving the 6 frontage plots. The scheme retains the substantial hedge to the western boundary as noted within the sketch scheme submitted at the outline stage.
- 1.5. The design, siting and scale of the proposed dwelling is considered acceptable with no material harm to visual or residential amenity, or highway safety. The application is therefore recommended for approval.

Recommendation: Approve

Conditions:

1. Start within 3 years.
2. Development in accordance with approved plans (including Construction Method Statement & Ecological Working Method Statement).
- 3-8. 6 Conditions as advised by Highway Authority.
9. Landscaping scheme and implementation.

2. **Planning Policy**

NPPF National Planning Policy Framework
National Planning Practice Guidance

Tendring District Local Plan 2007

QL1	Spatial Strategy
QL2	Promoting Transport Choice
QL9	Design of New Development
QL10	Designing New Development to Meet Functional Needs
HG1	Housing Provision
HG3	Residential Development Within Defined Settlements
HG6	Dwelling Size and Type
HG7	Residential Densities
HG9	Private Amenity Space
HG14	Side Isolation
EN1	Landscape Character
TR1A	Development Affecting Highways
TR7	Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Preferred Options Consultation Document (July 2016)

SP1	Presumption in Favour of Sustainable Development
SP2	Meeting Housing Needs
SP5	Place Shaping Principles
SP6	Spatial Strategy for North Essex
SPL1	Managing Growth
SPL2	Settlement Development Boundaries
SPL3	Sustainable Design
HP3	Green Infrastructure
LP1	Housing Supply
LP2	Housing Choice
LP3	Housing Density and Standards
LP4	Housing Layout
PPL3	The Rural Landscape
CP1	Sustainable Transport and Accessibility

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF 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 216 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 14th July 2016, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Preferred Options Consultation Document. As this plan is currently at an early stage of preparation, some of its policies can only be given limited weight in the determination of planning applications, but the weight to be given to emerging policies will increase as the plan progresses through the later stages of the process. 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 216 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.

3. Relevant Planning History

16/00533/OUT	Construction of 8 No. detached dwellings	Refused	07.06.2016
16/01370/OUT	Outline application for the construction of 6 No. detached dwellings.	Approved	02.11.2016

4. Consultations

Building Control and Access Officer The driveway should be capable of carrying a fire tender.
No other comments at this time.

ECC Highways Dept 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:

- 'Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 60 metres in both directions as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.
Reason - To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
- '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.
Reason - To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
- 'No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
Reason - To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
- 'Prior to the first occupation of the development, the proposed access shall be constructed to a width of 5.5 metres within the site and provided with an appropriate crossing of the verge to the satisfaction of the Local Planning Authority.
Reason - To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- 'Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.
Reason - To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
- '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.
Reason - To encourage the use of garages for their intended purpose and to discourage on-street parking, in the interests of highway safety and in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
- 'No works shall commence until a detailed sustainable transport mitigation package has been submitted to and agreed, in writing by, the Local Planning Authority. This package will provide information on how the applicant proposes to mitigate any increase in private vehicular use associated with the development and will include appropriate information on all sustainable transport modes including bus and rail travel, cycling, walking (including the local Public Rights of Way network), taxi travel, car sharing and community transport in the vicinity of the site. The package shall thereafter be implemented as agreed for each individual dwelling and/or premises within 14 days of the first beneficial use or occupation of that unit.
Reason - In the interests of mitigating the impact of the approved development by seeking to reduce the need to travel by private car through the promotion of sustainable transport choices.

Note: Essex County Council as Highway Authority can assist in the production of appropriate material as packs of information are available for purchase by the developer. Contact the Sustainable Travel Planning team on 01245 436135 or email travelplanteam@essex.gov.uk for more information.

INF01 Highway Works - All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to 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 or by post to:

Essex Highways, Colchester Highways Depot, 653 The Crescent,
Colchester, CO4 9YQ.

INF02 Cost of Works - 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.

INF03 Site Workers - Steps should be taken to ensure that the Developer provides sufficient turning and off loading facilities for delivery vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

5. Representation

- 5.1. Little Bentley Parish Council - No Comments Received.
- 5.2. No neighbour representations have been received.

6. Assessment

The main planning considerations are:

- Principle of Development;
- Design;
- Highway Safety;
- Residential Amenity, and;
- Protected Species.

Site Location

- 6.1. The site is to be accessed directly from Manningtree Road (where an agricultural access currently exists) and the land is generally open farmland with a substantial hedgerow along the western (Front highway) boundary and a pond on land to the south-east.
- 6.2. The site forms part of a larger field, although only the frontage gained outline permission, as development here is linear in nature fronting on to the road, with the site forming an open 'gap' between the 6 semi-detached houses to the North (1-6 Manningtree Road), and the main body of the village to the south, where the Bricklayers Arms P.H is situated, at the junction of Manningtree Road, and Rectory Road

Proposal

- 6.3. The application seeks detailed approval for the development of 6 detached dwellings and garages, (which follows the sketch proposal at outline planning stage), and whilst there was initial concern at the proposal to include garages projecting in front of the building line, amended plans omit these, placing the garages to the rear of the dwellings.
- 6.4. The proposed dwellings are in frontage form, but set-back behind a private drive with turning head. Each dwelling would have a garage and at least 2 parking spaces. All the dwellings are 2-storey detached houses, the smaller plots being 3 bedroomed units (2) and the remaining 4 plots are 4 bedroomed.

Principle of Residential Development

- 6.5. Whilst the site lies outside the defined settlement boundary of the emerging Local Plan and the existing plan does not recognise Little Bentley as a development village, the principle of residential development has been accepted by the grant of outline planning permission.

Consideration under this application is therefore limited to only the general detail design matters and landscaping.

Design

- 6.6. The proposed two storey dwellings would be located to the rear of the access drive, which has been designed to give maximum visibility, with the least removal of the feature boundary hedge, and they are an attractive design incorporating design features including chimney stacks, feature bay windows, rustic porches and a mix of brick, wood cladding and render.
- 6.7. The dwellings would have small front gardens and substantial gardens to the rear significantly in excess of the minimum 100 square metres required by saved policy HG9. Subject to the recommended conditions it is considered that the siting of the proposed dwellings are acceptable. The front and side hedgerow boundary is to be strengthened with additional planting. The new rear boundary would have a post-and-rail fence and native hedgerow.
- 6.8. The height, mass and detailed design of the dwellings, including the front elevation incorporating bay windows is appropriate for this site and provides for an attractive mix of dwelling types. The dwellings would retain sufficient spacing to the side boundaries of their plots as to not appear cramped and to safeguard the semi-rural character of the locality.

Highway safety

- 6.9. Manningtree Road is straight at this point, and the shared access – positioned centrally on the site frontage – will not create any adverse highway safety conditions.
- 6.10. The Highway Authority has no objection to the proposal.
- 6.11. The proposal does not include a new footway across the front of the site, as is normally requested, and the character of the area is such that there are few footways within the village, and a new element of path would look out-of-place. Subject to appropriate conditions, the proposal would be acceptable in highway safety terms, although the highway condition relating to sustainable transport 'packs' as suggested by the Highways Authority is only applied to major application sites and is not appropriate in this instance.
- 6.12. The amended plan indicates a wheelie-bin dwell-area near to the access point for bin-storage on collection days.

Residential Amenity

- 6.13. Due to the siting of the proposed dwellings and the space between any surrounding dwellings there would not be any adverse impact upon future residents in respect of loss of light/outlook. Furthermore, the substantial side hedge offers some separation from dwellings to the north. As such there would be no loss of privacy or amenity issues for neighbouring residents.

Protected Species

- 6.14. The issue of protected species and habitat protection was considered at the outline stage, and the submitted details allow for protection of existing hedgerows, and creation of new habitat.

- 6.15. The applicant has submitted a comprehensive ecology mitigation strategy that will ensure that habitat is protected during construction, and there is no indication that any protected species would be harmed, providing the strategy is complied with.

Overall planning balance

- 6.16. The outline permission established the principle of development of the site for 6 dwellings, and the proposed development meets all other policy considerations.
- 6.17. The land is proposed to be developed, in a manner that would add to the mix of dwelling types as advocated by the N.P.P.F and local policy and is an attractive design which maintains ecology habitat and the roadside hedge.
- 6.18. On balance, the development would not cause any demonstrable harm, and is considered to be a sustainable one, where the benefits of the scheme are not significantly and demonstrably out-weighted by any harmful impacts.
- 6.19. The development is therefore an appropriate one and recommended for approval.

Background Papers

None