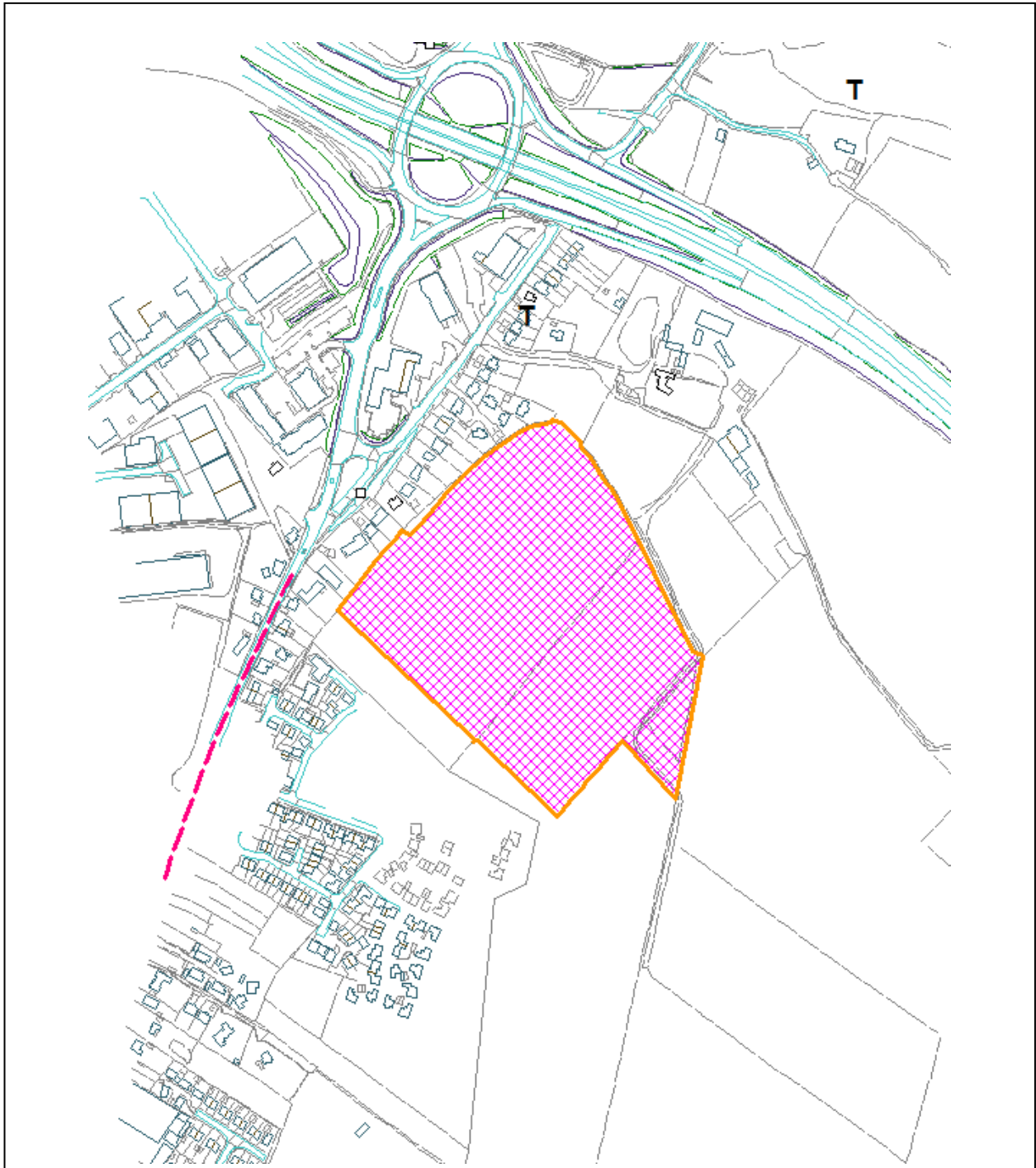


PLANNING COMMITTEE

29 NOVEMBER 2017

REPORT OF THE HEAD OF PLANNING

A.3 PLANNING APPLICATION - 17/01477/DETAIL - LAND NORTH OF FORMER BETTS FACTORY, IPSWICH ROAD, COLCHESTER, CO4 4HE



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Application:	17/01477/DETAIL	Town / Parish: Ardleigh Parish Council
Applicant:	Bellway Homes Ltd	
Address:	Land North of Former Betts Factory Ipswich Road Colchester CO4 4HE	
Development:	Reserved matters application for the erection of up to 120 dwellings including hard and soft landscaping, public open space, play areas, vehicle parking and supporting site infrastructure and site access.	

1. Executive Summary

- 1.1 Outline application 15/00932/OUT for up to 120 dwellings including hard and soft landscaping, public open space, play areas, vehicle parking and supporting site infrastructure on this site was approved at Planning Committee on 22nd September 2015 at which time it was requested that the reserved matters application be brought back to Committee for determination.
- 1.2 This application seeks approval of the reserved matters application for the erection of up to 120 dwellings including hard and soft landscaping, public open space, play areas, vehicle parking and supporting site infrastructure. It includes details of appearance, landscape, layout and scale which were not included as part of the outline application. Details of access were approved as part of the outline application.
- 1.3 The site comprises approx. 6.98 hectares of grassland that was formerly a commercial orchard, east of Ipswich Road on the north eastern edge of Colchester; around 2.5 miles from the town centre. This site lies adjacent to the former Betts Factory now known as Avellana Place, which is currently being development by Bellway Homes.
- 1.4 The site is broadly rectangular in shape and the local topography is generally flat. It is enclosed by Avellana Place to the south west and by existing properties on Ipswich Road to the north-west. The south eastern side of the site is defined by the edge of Bullock Wood, whilst the land to the north east is in agricultural use, with the existing field boundary marking the new edge to the built-up area of Colchester. Along Ipswich Road there is established residential development. On the opposite side of Ipswich Road is the edge of a significant area of commercial and industrial development characterised by storage buildings, car showrooms and repair facilities.
- 1.5 As established through the granting of outline application 15/00932/OUT, the principle of residential development for up to 45 dwellings on this site is acceptable.
- 1.6 The detailed design, layout, landscaping and scale are considered acceptable. The proposal would result in no material harm to residential amenity or highway safety and the application is recommended for approval.

Recommendation: Approve

Conditions:

In accordance with approved plans
Open Space to be provided prior to first occupation

2. **Planning Policy**

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

QL12 Planning Obligations

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG3A Mixed Communities

HG4 Affordable Housing in New Developments

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

COM2 Community Safety

COM6 Provision of Recreational Open Space for New Residential Development

COM21 Light Pollution

COM23 General Pollution

COM26 Contributions to Education Provision

COM29 Utilities

COM31A Sewerage and Sewage Disposal

EN1 Landscape Character

EN4 Protection of the Best and Most Versatile Agricultural Land

EN6 Biodiversity

EN6A Protected Species

EN6B Habitat Creation

EN12 Design and Access Statements

EN13 Sustainable Drainage Systems

TR1A Development Affecting Highways

TR3A Provision for Walking

TR5 Provision for Cycling

TR6 Provision for Public Transport Use

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

HP5 Open Space, Sports & Recreation Facilities

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

LP5 Affordable and Council Housing

PP13 The Rural Economy

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

CP3 Improving the Telecommunications Network

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Essex Design Guide

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, 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 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. As this plan is yet to be examined, its policies cannot carry the full weight of adopted policy. However, because the plan has reached publication stage its policies can carry some weight in the determination of planning applications. 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

The following planning history relates to the neighbouring Betts Factory site and is provided for context with the neighbouring schemes:

74/00653/FUL	Warehouse for storage of finished work	Approved	16.10.1974
75/00036/FUL	Erection of a sprinkler system pump house	Approved	17.02.1975
77/01217/FUL	The erection of a new warehouse structure	Approved	06.12.1977
78/01732/FUL	Industrial building (18000 sq ft) cooling	Approved	23.01.1979
79/00859/FUL	Extn of existing warehouse building	Approved	31.07.1979
79/00940/FUL	Erection of building to house air compressors to produce compressed air for production use	Approved	01.08.1979
79/00097/FUL	Erect a multi span single storey storage building etc	Approved	17.04.1979
80/00741/FUL	Engineers workshop and stores	Approved	07.05.1980
80/00440/FUL	Extns to warehousing	Approved	17.06.1980
81/00906/FUL	Erection of toilet and rest room	Approved	16.06.1981
82/01186/FUL	Warehouse extn (part revision of TEN/440/80)	Approved	29.12.1982

82/01187/FUL	Warehouse extn 18000 sq ft	Approved	29.12.1982
83/00283/FUL	Switch room addition (part variation of TEN/906/81)	Approved	18.03.1983
83/01384/FUL	Pumphouse enclosure	Approved	16.12.1983
84/01283/FUL	Extn to works office	Approved	04.12.1984
85/00202/FUL	Single storey building and offices for the manufacture of packaging	Approved	26.02.1985
85/00389/FUL	Additional warehouse (part submission of details under TEN/1187/82)	Approved	21.05.1985
86/01563/FUL	Proposed storage building	Approved	24.11.1986
88/01069/FUL	Construction of a covered loading area adj to warehouse in addition provision of road way around the extn	Approved	27.06.1988
89/00580/FUL	Relocation of factory water services for cooling water	Approved	17.10.1989
90/01032/FUL	Relocation of factory water services including erection of new chiller plant room (revision of TEN/580/89)	Approved	16.10.1990
91/00981/FUL	Extension to compressor house.	Approved	07.10.1991
97/01574/FUL	(Courtaulds Packaging Ltd, Ipswich Road, Ardleigh) Construction of additional production hall, service roads and associated landscaping.	Withdrawn	15.02.1999
01/01964/FUL	Provision of four plastic silos	Approved	18.12.2001
01/01965/FUL	Infill between buildings to create increased production space	Approved	18.12.2001
12/00885/OUT	Full planning permission is sought for the demolition of existing buildings, remediation, earthworks, tree protection and tree removal works and the spinal road. Outline planning permission is being sought for the erection of up to 73	Approved	23.08.2013

residential units (C3 use), hard and soft landscaping, secondary access roads, perimeter enclosure, car parking, open spaces, play areas and lighting.

13/00994/DISCON	Discharge of conditions on previously approved planning application 12/00885/OUT (Full Planning Permission Element) - 03 - Tree removal and retention details, 06 - Scheme of supervision of the arboricultural protection, 07 - Details of wheel washing facilities, 08 - Construction/ works method statement, 12 - Risk assessment to assess the extent and nature of contamination, 13 - Remediation scheme, 16 - Validation Report, 17 - Monitoring and maintenance plan in respect of contamination.	Approved	27.11.2013
13/01482/DISCON	Discharge of condition 16 (Remediation Validation Report) of planning permission 12/00885/OUT (Full Planning Permission Element).	Approved	11.02.2014
14/00778/DISCON	Discharge of condition 7 (Code for Sustainable Homes), 11 (Details of Earthworks), 12 (Details of Tree Protection Fencing), 15 (Arboricultural Implications Assessment, Method Statement and Tree Protection Plan), 16 (Scheme of Supervision for Arboricultural Protection Measures), 17 (Noise Mitigation Measures), 18 (Lighting), 19 (Refuse and Recycling Scheme), 22 (Noise from Plant, Equipment and Machinery) and 26 (Surface Water Drainage Scheme) of planning permission 12/00885/OUT (Outline Planning Permission Element).	Approved	25.09.2014
14/00807/DETAIL	Erection of 70 dwellings, with associated hard and soft landscaping, access roads, perimeter enclosure, car parking, open space, play areas and lighting.	Approved	11.09.2014
14/01726/DISCON	Discharge of conditions 23 (parking) and 29 (trees) of planning permission 12/00885/OUT.	Approved	23.12.2014

14/01727/DISCON	Discharge of conditions 02 (external facing and roofing materials) and 03 (surfacing materials) of planning permission 14/00807/DETAIL.	Approved	23.12.2014
15/01235/DISCON	Discharge of conditions 9 (landscaping), 10 (landscape management plan) and 21 (details of management company) of outline planning permission approved under 12/00885/OUT.	Approved	06.04.2017
17/00560/DISCON	Discharge of condition 8 (Final Code Certificates - Plots 55 to 89) of the approved planning application 12/00885/OUT (Outline planning permission element).	Approved	26.05.2017

The planning history which follows relates to the current application site:

15/00932/OUT	Outline planning permission for the erection of up to 120 dwellings (C3) including hard and soft landscaping, public open space, play areas, vehicle parking and supporting site infrastructure with all matters reserved apart from access at Land North of the Former Betts Factory, Colchester.	Approved	22.03.2016
16/01874/DISCON	Discharge of Condition 12 (Fencing of Bullock Wood) and 16 (Reptile Method Statement) of Planning Permission 15/00932/OUT.	Approved	18.01.2017
17/01477/DETAIL	Reserved matters application for the erection of up to 120 dwellings including hard and soft landscaping, public open space, play areas, vehicle parking and supporting site infrastructure and site access.	Current	
17/01538/DISCON	Discharge of conditions 5 (Construction Method Statement), 6 (Construction and Environment Management Plan), 8 (Wheel Cleaning facility details), 11 (Parking Strategy), 13 (Landscape Work Details), 14 (Details of Earthworks), 18 (Surface Water Drainage Details) and 20 (Maintenance Plan) of approved	Current	

planning application
15/00932/OUT.

17/01685/DISCON	Discharge of conditions 12 (Fencing Detail) and 15 (Arboricultural Method Statement) of planning permission 15/00932/OUT.	Current
17/01825/DISCON	Discharge of Condition 19 (Surface Water Drainage) of Planning Permission 15/00932/OUT.	Current

4. Consultations

Building Control and Access Officer	Have had an initial notice for this site so cannot give any comments.
Food Health and Safety	Have no comments or objections at make at this stage
Waste Management	No comments.
Tree & Landscape Officer	Combined with details submitted under concurrent discharge of condition applications 17/01538/DISCON and 17/01685/DISCON the information provided is sufficient in terms of soft landscaping and tree protection measures.
Colchester Borough Council	<p>Raise the following points:</p> <ul style="list-style-type: none">• Consider that the layout plan submitted does propose significant landscaped areas. However, it is not evident that much of this space would be useable public space, as opposed to landscaped amenity land.• There does not appear to be any play areas in this phase of the development; the scheme appears to rely on the provision made during the initial phase.• It appears the amenity space to serve units 223-230 is undersized.• It appears that a potential loss of amenity could be caused by first floor level windows in units 223-230 facing towards the rear of dwellings fronting Ipswich Road.• It is noted that the road access consists of a series of cul-de-sacs leading off the main spine. This would significantly limit the vehicular permeability of the scheme.• It is noted that several house types incorporate illogical use of materials, such as 'panels' of boarding that end at a random position on the flack wall. This approach was avoided on adjacent site and its inclusion on this phase should be avoided in order to ensure that this phase is visually compatible with the first.• The fenestration of some dwellings also creates a poor asymmetry, particularly in relation to key front elevations.• The area of land allocated as a central play area (identified in the first phase of development) is currently being utilised as a site compound. It is considered that the use of the identified land for this purpose should cease in order that the land can fulfil its intended role as an amenity for residents.• Additionally the enhanced broadband facilities that are to be

installed as part of the proposed phase of development should be enabled to serve the existing properties provided in Phase One.

ECC Highways Dept

Consider that the full detailed design can be agreed during the s38 process. On this basis, the Highway Authority does not wish to comment further and raises no objection.

Natural England

Based on the information provided in support of the application, Natural England's view is that there is insufficient information to rule out adverse effects to Bullock Wood Site of Special Scientific Interest (SSSI). Therefore make the following comments:

- Advise that chestnut post and wire fencing of the given specification is not sufficient for the purpose of safeguarding Bullock Wood SSSI from new dwellings, whilst at the same time ideally being porous enough to allow the movement of wildlife between the development site and SSSI.
- Request clarity on whether the section of fencing between Area A and Area C of Drawing No. 220-A-1403-A which separates 'Phase 1' of the residential development and Bullock Wood forms part of the current consultations.
- Phasing details and long-term inspection and maintenance details must be provided and approved before relevant conditions are discharged.

A number of consultees such as Essex County Council SUDs and Anglian Water have no provided comment on this application as the matters that they are concerned with are subject to conditions on the outline consent and therefore being dealt with by the current discharge of condition applications.

5. Representations

5.1 Ardleigh Parish Council support the application; they have seen the proposed plans and landscaping detail and support the low density and open space plan of this application.

5.2 9 letters of objection have been received which raise the following concerns:

- It is appalling that Phase 2 will be getting fibre broadband when Phase 1 hasn't.
- Lack of amenity space for existing residents the promised play area has not been built. The date of completion keeps being pushed back.
- On-street parking makes it difficult for emergency vehicles to access the site.
- Already issues with getting out of the estate onto Ipswich Road, which will be exacerbated by further houses.
- Would prefer to see the land remains as an Orchard
- Loss of wildlife that inhabits the site
- The schools, doctors and hospitals are already stretched.
- The proposal will set a precedent for future development.

6. Assessment

The main planning considerations are:

- Site Context
- Proposal
- Appearance
- Landscaping/Biodiversity
- Layout
- Scale
- Highway Safety
- Impact on Residential Amenity
- Impact on Bullock Wood SSSI

Site Context

- 6.1 The site comprises approx. 6.98 hectares of grassland that was formerly a commercial orchard, east of Ipswich Road on the north eastern edge of Colchester; around 2.5 miles from the town centre. This site lies adjacent to the former Betts Factory now known as Avellana Place, which is currently being developed by Bellway Homes.
- 6.2 The site is broadly rectangular in shape and the local topography is generally flat. It is enclosed by Avellana Place to the south west and by existing properties on Ipswich Road to the north-west. The south eastern side of the site is defined by the edge of Bullock Wood, whilst the land to the north east is in agricultural use, with the existing field boundary marking the new edge to the built-up area of Colchester. Along Ipswich Road there is established residential development. On the opposite side of Ipswich Road is the edge of a significant area of commercial and industrial development characterised by storage buildings, car showrooms and repair facilities.

Proposal

- 6.3 This application seeks approval of the reserved matters (appearance, landscaping, layout and scale) relating to outline planning permission 15/01277/OUT and the erection of up to 120 dwellings including hard and soft landscaping, public open space, play areas, vehicle parking and supporting site infrastructure. It includes details of appearance, landscape, layout and scale which were not included as part of the outline application. Details of access were approved as part of the outline application.
- 6.4 The proposal seeks permission for 120 dwellings; 20 no. 2 bed houses; 31 no. 3 bed houses; 41 no. 4 bed houses; 6 no. 5 bed houses; 7 no. 2 bed affordable houses and 15 no. 1 bed affordable apartments. Across a net site area of 4 hectares, the proposed development equates to a density of 30 dwellings per hectare. The gross density of the development, including the open space and landscape buffers is 17.4 dwellings per hectare.
- 6.5 All the proposed dwellings are two storey in height and are proposed to be a mixture of brick, render and weatherboarding throughout the site.
- 6.6 Public open space will be provided in various locations across the site, the main area being to the west of the site that is shared with Phase 1. Other areas of open space are provided through the site, central to the tree lined avenue and also in the eastern part of the site.
- 6.7 Vehicular access to the site will remain as previously approved. This will be through an extension of the main estate road that runs through Phase 1. The location and specification of the access was established at outline stage.

- 6.8 A S106 legal agreement was secured at outline planning permission stage requiring: a financial contribution towards primary and secondary education; financial contribution towards and provision of on-site open space; provision of affordable housing in accordance with an agreed scheme; a financial contribution towards health care; transfer of Bullock Wood to the Council with a financial contribution. This legal agreement and all conditions on the outline consent will still apply.

Appearance

- 6.9 The design of the proposed dwellings is traditional in form, but the detailed design is varied with different roof forms; and use of chimneys, porches, brick plinths, bay windows and detailing above windows provides visual interest and are appropriate details.
- 6.10 The materials proposed are a mixture of red multi and buff stock and handmade bricks; natural red and mosborough red plain tiles; slate; black and cream weatherboarding and light pink and cream render. The type and mixture of materials proposed is considered to be acceptable, the mix will ensure variety and visual interest across the development.
- 6.11 Comments received from Colchester Borough Council raise issues of illogical use of materials, such as 'panels' of boarding that end at a random position on the flack wall. It is stated that this approach was avoided on Phase 1 and its inclusion should be avoided in order to ensure this phase is visually compatible with the first. The points are noted and understood; however, whilst it could result in an improvement to the scheme, it is considered that the design and the dwellings, proposed will result in the development being visually compatible with Phase 1 and that the use of materials in they way proposed would not be sufficient to warrant a reason for refusal. The same view applies to the comments raised regarding the fenestration of the some of the dwellings.
- 6.12 For the above reasons it is considered that the detailed design and appearance of the proposed dwellings is acceptable.

Landscaping/Biodiversity

- 6.13 The impact of the proposal on protected species and biodiversity was dealt with at outline stage.
- 6.14 New tree planting has been included in the buffer zones to the north-eastern and north-western side boundaries and a detailed Landscaping Scheme has been submitted. The Council's Landscape Officer considers the landscaping and planting scheme to be acceptable. This issue is also covered by condition on the outline consent, together with the timing of planting.
- 6.15 It is considered that the proposed landscaping is acceptable.
- 6.16 It is noted that the opens space in relation to Phase 1 has not been delivered within the originally agreed timetable; this is not an issue directly relating to this application and can be dealt with separately. However, as it is proposed that the area of open space to that relates to Phase I is also being relied on for residents in Phase 2, therefore to ensure its provision is not delayed any further than a condition will be imposed to ensure that the open space is provided prior to the occupation of the any dwelling on Phase 2.

Layout

- 6.17 The site is situated immediately adjacent to Phase 1 of the development; the proposed layout of the development is of a similar layout and has similar size plots, although it has more open space surrounding the development.

- 6.18 Each of the proposed dwellings, have their own private amenity space with the exception of the proposed flats which are provided with a communal area. Policy HG9 of the Saved Plan requires 50sq.m for 1 bed dwellings, 75 sq.m for 2 bed dwellings and 100 sq.m for dwellings with 3 or more beds. Out of the 120 dwellings proposed 13 (not including the flats) do not meet the minimum standards. However, they are all provided with a useable area in terms of the shape of the garden and there is access to nearby areas of open space within the proposed development. It is considered that given the scale of development proposed and the level of provision of on site public open space, that the proposed provision of public open spaces is acceptable.
- 6.19 With regards to the proposed flats, in the south-west corner of the site; these are provided with 150 sq. m of private amenity space, whereas the requirement in line with the standards would be 200 sq.m. However, they are located immediately adjacent to the public open space and on this basis, the deficit is not considered sufficient to warrant a reason for refusal.
- 6.20 In conclusion there are no concerns in relation to the layout of the proposed development.

Scale

- 6.21 All dwellings proposed are two storey in height, but to create variation throughout the site properties that are all the same height have been avoided. A mix of gables facing the street and ridges that run parallel to the street are proposed together with different roof pitches to add interest to the proposed roofscape. It is therefore considered that the scale of development proposed is acceptable, subject to the impact on residential amenity, discussed below.

Highway Safety

- 6.22 The proposed access was agreed at outline stage and therefore is not under consideration as part of this application. Furthermore, Essex County Council raise no objection to the proposal.
- 6.23 Essex County Council Parking Standards state that for one bedroom dwellings 1 off-street parking space is provided and for dwellings with 2 or more bedrooms a minimum of 2 off-street parking spaces are provided. Furthermore, 0.25 spaces per dwelling should be provided for visitor parking. Each parking space should measure 5.5 metres by 2.9 metres and if a garage is to be relied on it should measure 7 metres by 3 metres internally. The parking strategy shows that the proposal provides parking in accordance with the adopted standards.
- 6.24 Provision for cycle storage has been provided for the proposed flats, but not for the dwellings. However, the garages are of a sufficient size to provide cycle parking and all dwellings have space within the garden area for a shed. Therefore it is considered that adequate cycle parking can be provided.
- 6.25 Concerns have been raised regarding the impact of increase traffic; however, this was an issue which was considered at outline stage when it was concluded that the impact of the proposed was acceptable from a highway perspective.
- 6.26 The proposal is therefore acceptable in terms of highway safety.

Impact on Residential Amenity

- 6.27 The proposed site is fairly well contained. The immediate residential neighbours to the site are those in Phase 1 of the development and those along Ipswich Road and Plains Farm Close.

- 6.28 The proposed development is separated from Phase 1 by the area of proposed open space and Bullock Wood; it is therefore considered that there would no adverse impact on the occupiers of Phase 1.
- 6.29 With regard to the impact on properties along Ipswich Road and Plains Farm Close, it is considered that there will potentially be some increase in overlooking. However, given that the distance of separation is excess of the 25 metres back to back distance recommended by the Essex Design Guide that any impact would not be significant.
- 6.30 It is considered that the proposal would result in no material harm to residential amenity of existing occupiers. The relationship between the proposed dwellings is also considered acceptable with adequate separation to provide good standards of privacy and light.

Impact on Bullock Wood SSSI

- 6.31 Following the receipt of comments from Natural England (outlined above) the applicant's have submitted additional information which appears to have overcome the concerns raised, however, an update on this will be provided at the meeting.

Other Issues

- 6.32 A number of concerns have been raised regarding the lack of fibre optic broadband service provided for Phase 1. There is no planning obligation for either phase to provide this and therefore this is a matter which cannot be controlled by planning.

Background Papers

None