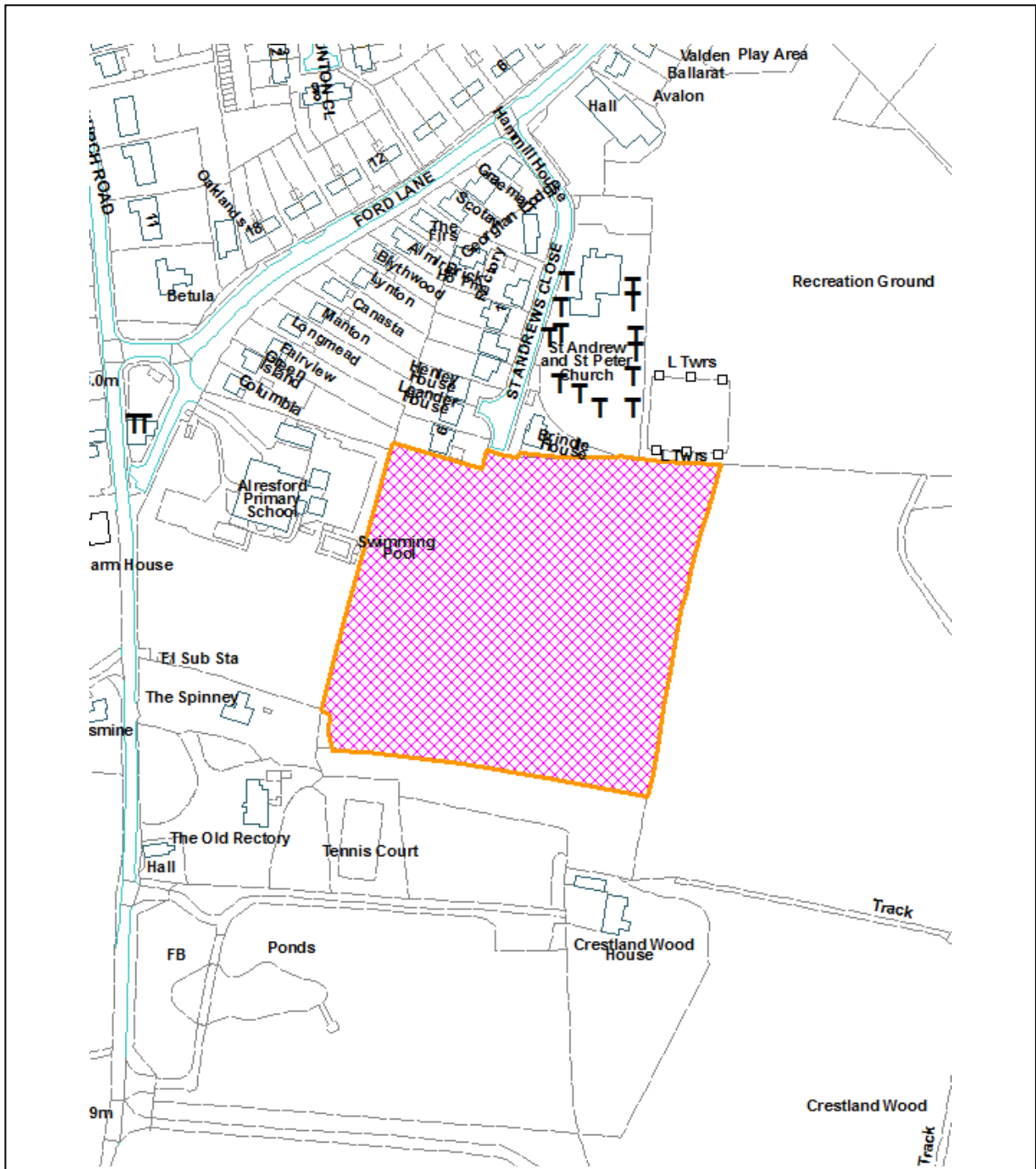


PLANNING COMMITTEE

3 JANUARY 2018

REPORT OF THE HEAD OF PLANNING

**A.1 PLANNING APPLICATION - 17/00658/DETAIL - LAND SOUTH OF ST ANDREWS CLOSE, ALRESFORD, CO7 8BL**



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<b>Application:</b>	17/00658/DETAIL	<b>Town / Parish:</b> Alresford Parish Council
<b>Applicant:</b>	Mr A Bell - Bennett Homes	
<b>Address:</b>	Land South of St Andrews Close Alresford CO7 8BL	
<b>Development:</b>	Reserved matters application for the development of up to 45 dwellings, a new public green and village square, ecological buffer areas and associated infrastructure.	

## 1. Executive Summary

- 1.1 **This application was deferred from Planning Committee on 29<sup>th</sup> November 2017 to enable further discussions to take place with the Developers in order to address the Committee's concerns over the non-compliant size of the amenity space for the properties intended to be gifted to the Council and for the Developer to reconsider single storey properties for Plots 23, 24 and 25 to address the Committee's concerns of overlooking of the school and swimming pool.**
- 1.2 **Following the Planning Committee amended plans have been received which have amended the garden sizes. Plots 24 and 25 remain two storey in height but the first floor bedroom window on the rear elevation has been moved to the side elevation, which results in all windows at first floor level being obscure glazed. The garage of Plot 23 have been amended to a gable roof which obscures views towards the school and the window of bedroom 2 has been moved as far to the right as possible to reduce the viewing angle.**
- 1.3 Outline application 15/01277/OUT for up to 45 dwellings, a new public green and village square, ecological buffer areas and associated infrastructure on this site was approved at Planning Committee on 19<sup>th</sup> November 2015 at which time it was requested that the reserved matters application be brought back to Committee for determination.
- 1.4 This application seeks approval of the reserved matters application for the erection of up to 45 dwellings, a new public green and village square, ecological buffer areas and associated infrastructure. It includes details of access, appearance, landscaping, layout and scale which were not included as part of the outline application.
- 1.5 The application site is situated to the south of St Andrews Close on the southern edge of the village of Alresford. It covers an area of approximately 2.3 hectares and comprises of a square, flat field. Access to the field is gained via St Andrews Close; all other boundaries of the site are defined by mature trees and vegetation.
- 1.6 As established through the granting of outline application 15/01277/OUT, the principle of residential development for up to 45 dwellings on this site is acceptable.
- 1.7 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:**

- 1 In accordance with approved plans
- 2 Samples of materials to be submitted and agreed
- 3 Details of soft landscaping – including access arrangements
- 4 Landscape to be carried out in first planting and seeding season following commencement of development
- 5 Any landscaping lost within 5 years to be replaced
- 6 Details of boundary treatments/enclosures to be submitted and agreed
- 7 Hours of Construction
- 8 **Windows at first floor on rear elevations of Plots 24 and 25 to be obscure glazed**

2. **Planning Policy**

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

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

HG4 Affordable Housing in New Developments

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

COM6 Provision of Recreational Open Space for New Residential Development

EN1 Landscape Character

EN3 Coastal Protection Belt

EN6 Biodiversity

EN6A Protected Species

EN11C Protection of Local Sites: Local Nature Reserves, County Wildlife Sites, Regionally Important Geological/Geomorphological Sites

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

LP5 Affordable and Council Housing

PPL1 Development and Flood Risk

PPL4 Biodiversity and Geodiversity

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

Local Planning Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

### **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 16<sup>th</sup> 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

15/01277/OUT	Outline planning application with all matters reserved for the development of up to 45 dwellings, a new public green and village square, ecological buffer areas and associated infrastructure.	Approved	16.05.2016
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### 4. Consultations

Building Control and  
Access Officer

No comments at this time.

Tree & Landscape Officer

In terms of the impact of the development on the trees situated on or close to the boundaries of the application site the information submitted, or previously submitted with the outline application 15/01277/OUT, is sufficient to demonstrate that the development can be implemented without causing harm to those trees.

The main method of protection for the trees is the creation of a buffer zone that covers the area occupied by the Root Protection Areas (RPA's) of the trees, It is not clear from the information provided what the extent of public access to the perimeter buffer zone will be. If it is intended to be public open space then details of access points will need to be provided.

With regard to the soft landscaping it would appear that this information has not been provided. Therefore prior to the determination of this application the applicant will need to provide a detailed soft landscaping scheme to show the extent of new planting to soften and enhance the appearance of the public green, village square and the wider public realm.

ECC Highways Dept

The Highway Authority does not wish to make comment further to those submitted under application 15/01277/OUT.

Natural England

Based on the information provided, advises that the proposal is unlikely to affect any statutorily protected sites or landscapes.

ECC SuDS Consultee

The layout plan does not significantly differ from that previously proposed and therefore will not be providing any comment at this time.

Essex County Council  
Archaeology

The outline application has an archaeological condition attached to it which has not been discharged, the implementation of a programme of archaeological work is required prior to the submission of a reserved matters. A brief for the work has not been requested and no archaeological contractor has been appointed to carry out the work. The results of the fieldwork would have been used to inform opinion on this application, therefore the application cannot be considered until the archaeological fieldwork has been undertaken and received.

## 5. Representations

5.1 Alresford Parish Council object to the application for the following reasons:

- Further clarification is needed of the public green and village square as there is none.
- How will the open space be accessed/who will be responsible for maintain it?
- The layout plan is lacking detail e.g. there is no indication as to where the public green/play area is.
- The dwellings back onto the school/swimming pool site should be single storey (as agreed in respect of the Cockaynes Lane development) to avoid overlooking for the school and visual intrusion when viewed from the school.
- The traffic calming humps in the estate road will cause noise and disturbance to residents, in addition and increase in emissions from vehicles slowing and speeding up when passing them. It is suggested that the road be severed at a half way point (forming a cul de sac) to prevent speeding.
- There is no indication form the application details as supplied of the numbers, types and location of social/affordable house types.

5.2 In addition to the objection form the Parish Council as above, 6 letters of objection have been received which raise the following concerns:

- Who will look after the designated green areas?
- No housing for the elderly, such as sheltered housing.
- Lack of affordable/social housing
- No single storey bungalows onto the boundary of the primary school and swimming pool.
- Bungalows would enhance the development – give it a light and airy look rather than an over developed cramped in look like some other developments.
- The dwellings proposed will result in overlooking towards the school grounds and swimming pool.
- The design of the roadway at the end of the Close will be used a ‘race-track’.
- A S106 is required for the proposed development
- Loss of Local Wildlife Site
- Increase in vehicular activity/traffic to an area which is a hub of pedestrian activity.
- Lack of parking provision
- This application cannot be considered until the archaeological fieldwork required has been undertaken.
- Impact on protected species has not been assessed.
- What provisions are to be taken to protect existing and new resident from noise pollution from the new land drainage pumping station?
- The indicative site plan submitted with the outline application showed plots 16 & 17 (now 17&18) as one and half storey bungalows with no rear elevation first floor windows. This has been amended so that these properties, plus No. 19 result in direct overlooking and a loss of privacy.
- Impact of noise and pollution form building work on the children’s education.

## 6. Assessment

The main planning considerations are:

- Site Context
- Proposal
- Appearance
- Landscaping/Biodiversity
- Layout
- Scale
- Highway Safety

- Impact on Residential Amenity
- Archaeology

### Site Context

- 6.1 The application site is situated to the south of St Andrews Close on the southern edge of the village of Alresford. It covers an area of approximately 2.3 hectares and comprises of a square, flat field. Access to the field is gained via St Andrews Close; all other boundaries of the site are defined by mature trees and vegetation.
- 6.2 To the north of the site are the existing dwellings and community facilities in St Andrews Close, the dwellings are two storey in height and detached. The community facilities comprise of a Village Hall situated on the corner of St Andrews Close and Ford Lane and St Andrew and St Peter Church in St Andrews Close, to the rear of the Church is the Playing Field.
- 6.3 To the east of the site is Crestland Wood which is designated as a Local Wildlife Site and ancient woodland. To the south of the site are The Old Rectory, The Spinney and Crestland Wood House which are large detached houses set in extensive grounds. The primary school lies to the west of the site.

### Proposal

- 6.3.1 The current application seeks approval of the reserved matters (access, appearance, landscaping, layout and scale) relating to outline planning permission 15/01277/OUT and the erection of 45 dwellings, a new public green and village square, ecological buffer areas and associated infrastructure.
- 6.4 The development will be served by a single access point from St Andrews Close, providing access to all the dwellings by a circular link road.
- 6.5 The proposal seeks permission for 45 dwellings, predominately detached with, some semi-detached dwellings. The proposed development comprises of 17 no. 4 bed houses; 23 no. 3 bed houses; 3 no. 2 bed houses and 2 no. 1 bed flats.
- 6.6 All proposed dwellings are two storey in height and are proposed to be a mixture of brick and render with slate and tiled roofs.
- 6.7 An ecological buffer is provided on 3 sides of the site, measuring between 6 metres and 18 metres, which was a requirement of the outline consent. Two areas of open space are included as part of the proposed development a larger area to the north of the site and a smaller area towards the south-west of the site.
- 6.8 A S106 legal agreement was secured at outline planning permission stage requiring 3 dwellings to be gifted to the Council for affordable housing; the maintenance of the on-site open space or transfer to the Council with a sum of £86,400 for future maintenance; a financial contribution towards play space; a financial contribution towards education (early years and childcare) and financial contribution towards secondary school transport costs. This legal agreement and all conditions on the outline consent will still apply.

### Appearance

- 6.9 The detailed design of the dwellings is varied with different roof forms; use of chimneys, porches, brick plinths, bay windows and detailing above windows which add a traditional element to the design and provides visual interest. All of the proposed dwellings address the street, to create an active street frontage. There are some dwellings which also have

side elevations that face onto the street or are in prominent locations; these elevations have been designed to create some interest with a window, chimney or both.

6.9.1 **The amended plans propose slight changes to the design of proposal in terms of the window arrangements of Plots 23, 24 and 25 and the design of the garage. The amended design of the proposed garage is in keeping with the proposed development and is of simple design with appropriate proportions, therefore is considered acceptable. The proposed changes due to the re-location of windows on Plots 23, 24 and 25 does result in the rear elevations of the properties appearing unbalanced which dilutes the design of the proposed dwellings. However, given that the rear elevations are not going to be visible from the public realm, it is not considered that this would be a sufficient reason for refusal and is considered an appropriate compromise to address Members concerns regarding overlooking to the school.**

6.10 Parking is generally provided to the side of the proposed dwellings so would not be prominent in the street scene. There are two areas of parking to the front of the properties; both of which have 5 spaces, however, due to the layout these would not be situated in prominent locations and are preferable to rear parking courts, as they are more usable.

6.11 In terms of materials, the plans show a mixture of brick and rendered properties with tiled or slate roofs. No specific details of these materials have been provided at this stage; however, the use of acceptable materials can be secured by condition. The mix shown will ensure variety and visual interest across the development.

6.12 It is therefore considered that the detailed design and appearance of the proposed dwellings is acceptable.

#### Landscaping/Biodiversity

6.13 The site is surrounded on three sides by mature trees situated either on or close to the boundary. The information submitted, or previously submitted with the outline application 15/01277/OUT, is sufficient to demonstrate that the development can be implemented without causing harm to those trees.

6.14 The Landscape Officer has raised the issues regarding lack of information regarding access to the buffer zone and detailed soft landscaping. The layout plan shows that there is adequate space for soft landscaping both along the boundaries of the site and within the site itself. It is therefore considered that these issues can be dealt with by conditions. Issues have been raised by the Parish Council and objectors regarding the maintenance of the green space. This issue was dealt with at time of the outline application. The S106 Agreement requires that an Open Space Specification and Open Space Management Plan to be submitted and agreed by the Local Authority and then either a Management Company set up to maintain the land in accordance with the agreed details or the land transferred to the Council for maintenance together with a financial contribution towards future maintenance.

6.15 The impact of the proposal on protected species and biodiversity was dealt with at outline stage. The outline application was accompanied by the relevant habitat surveys and an Ecological Management Plan (EMP). The outline application is subject to a condition to ensure the development is carried out in accordance with EMP, which sets out a number of ways in which, the site will be managed to enhance the biodiversity of the site. This includes maintenance arrangements of the buffer zones around the site so they provide suitable grassland habitats for glow worms, bat, bird and dormice boxes.



### Layout

- 6.16 The site is situated at the end of St Andrews Close, which is a cul-de-sac therefore the circular layout is appropriate for this enclosed site. The plot sizes are similar to those of the existing dwellings in St Andrews Close and therefore would appear in keeping with the existing development.
- 6.17 Each of the proposed dwellings, have their own private amenity space which measures between 60 sq.m and 300 sq.m. 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 45 dwellings proposed, **originally** 8 do not meet the minimum private amenity space provision as set out in Policy HG9. The deficit is between 2 sq.m and 15 sq.m, with 2 of the dwellings have a deficit of approx. 15 sq.m.
- 6.18 **Amended plans have been received which address the Committee's previous concerns and all dwellings, apart from one know comply with the requirements of Policy HG9. Plot 16, which is not a unit to be gifted to the Council for affordable housing, still falls short of the standards. However, this Plot is located close to the proposed open space and the garden provided is useable in terms of the shape.**
- 6.19 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 private amenity space is acceptable.
- 6.20 In conclusion there are no concerns in relation to the layout of the proposed development.

### Scale

- 6.21 Given the different designs of the dwellings proposed heights vary slightly, but all dwellings are two storey in height, which is in keeping with the scale of dwellings in the immediate vicinity. 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 A single point of access is proposed from St Andrews Close. Essex County Council Highways have no further comments on the proposal than those raised at outline stage, which were imposed as conditions. These conditions still apply to the development and the submitted plans show the development being carried out in accordance with the relevant conditions.
- 6.23 No objection was raised by Essex County Council to the proposal at outline stage and the number of dwellings proposed remains the same.
- 6.24 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.
- 6.25 39 of the 45 dwellings proposed are provided with garages which meet the required standards and therefore can be counted towards the parking provision. The remaining 6 dwellings, are not provided with garages, but have sufficient space for off-street parking either within the curtilage of the dwelling or in close proximity.

- 6.26 There is limited visitor parking provided around the development, however, many of the proposed dwellings have off-street parking provision in excess of that required by the standards. All have the required 2 off-street parking spaces but especially the large houses have spaces for up to 3 or 4 cars. It is therefore considered that the level of parking provision is acceptable.
- 6.27 No details of any cycle storage has been provided at this stage, however, this is a condition of the outline consent so will be dealt with at a later stage. 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.
- 6.28 Concerns have been raised regarding the use of the road as a 'race-track' and the use of traffic calming measures such as speed bumps. However, with no objection from Essex County Council Highways and no evidence to suggest that the proposal will result in highway safety issues, it is not possible to justify refusal of the application on such grounds.
- 6.29 The proposal is therefore acceptable in terms of highway safety.

#### Impact on Residential Amenity

- 6.30 Immediate residential neighbours to the site are those to north in St Andrews Close and properties in Ford Lane and Church Road, in particular The Spinney; The Old Rectory, Crestland Wood House and Alresford Primary School.
- 6.31 At outline stage the indicative plan showed that the plots in the south west corner of the site, nearest to The Spinney and The Old Rectory would be 1 ½ storey in height. Furthermore, at the Planning Committee Meeting a preference was stated for single storey buildings along the boundary with the Primary School and this was attached as an informative. The plan submitted at outline stage was indicative only and there is not a requirement for the development to be in accordance with that and therefore what has been submitted as part of the detailed application needs to be assessed.
- 6.32 All dwellings proposed are two storey in height. The proposed dwellings along the western boundary follow the line of the adjacent properties in St Andrews Road, therefore there is not considered to be any adverse impact on these properties. Adjacent to Brindle House, situated to adjacent to the north boundary of the site, is the area of open space, which provides adequate separation between the proposed dwellings for there not to be any adverse impact.
- 6.33 The plots in the south west corner of the site are no longer as indicated on the indicative drawing as they are two storey in height. This increase in height would result in an increase in overlooking to the neighbouring properties, The Spinney and The Old Rectory. However, the proposed dwellings are situated approx. 20 metres from the boundary of the site, resulting in a distance which is in excess of the 15 metres back to back distance recommended by the Essex Design Guide. Therefore whilst there will be some increase in overlooking this would not be sufficient to warrant a reason for refusal, given the proposed distance from the boundary. This same view would apply to any potential impact on Crestland Wood House.
- 6.34 With regards to the impact on the Primary School, the proposal has potential to result in some overlooking as two storey properties are proposed approx. 19 metres from the boundary. In response to the comments from the Planning Committee at outline stage screen planting is proposed along this boundary. It is accepted that this will not reduce overlooking from first floor windows; however, it would provide a screen at ground floor level, which will be of benefit. **Furthermore the proposed changes mean that no overlooking will occur from Plots 24 and 25 because the only window proposed at**

**first floor level serves a bathroom and would therefore be obscure glazed. Some overlooking will occur from Plot 23 but the changes to the garage and window location mean that this would be at an oblique view and very minimal.** There are many situations where residential properties are situated adjacent to schools and have views into play areas. Whilst the protection of children is important, it is considered that the relationship between the school and proposed dwellings is acceptable.

- 6.35 It is therefore 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.
- 6.36 During the construction period there will be some adverse impact to the nearby residents in terms of noise and disturbance. However, this will be for a limited time only and the hours of construction can be controlled by condition.

#### Archaeology

- 6.37 Essex County Council Archaeology have commented that the application cannot be considered until the archaeological fieldwork required by condition at outline stage has been undertaken, as this should inform the application. Whilst these comments are noted it cannot be insisted that this work is carried out prior to the determination of this application. This is because the condition only becomes relevant when development or preliminary ground work commence and this has not occurred. When development commences the condition will still need to be complied with and if any issues arise that cannot be overcome the scheme would need to be amended through the submission of another application.

#### **7. Conclusion**

- 7.1 Overall the details submitted with this application are considered to be acceptable and their approval is recommended.

#### **Background Papers**

None