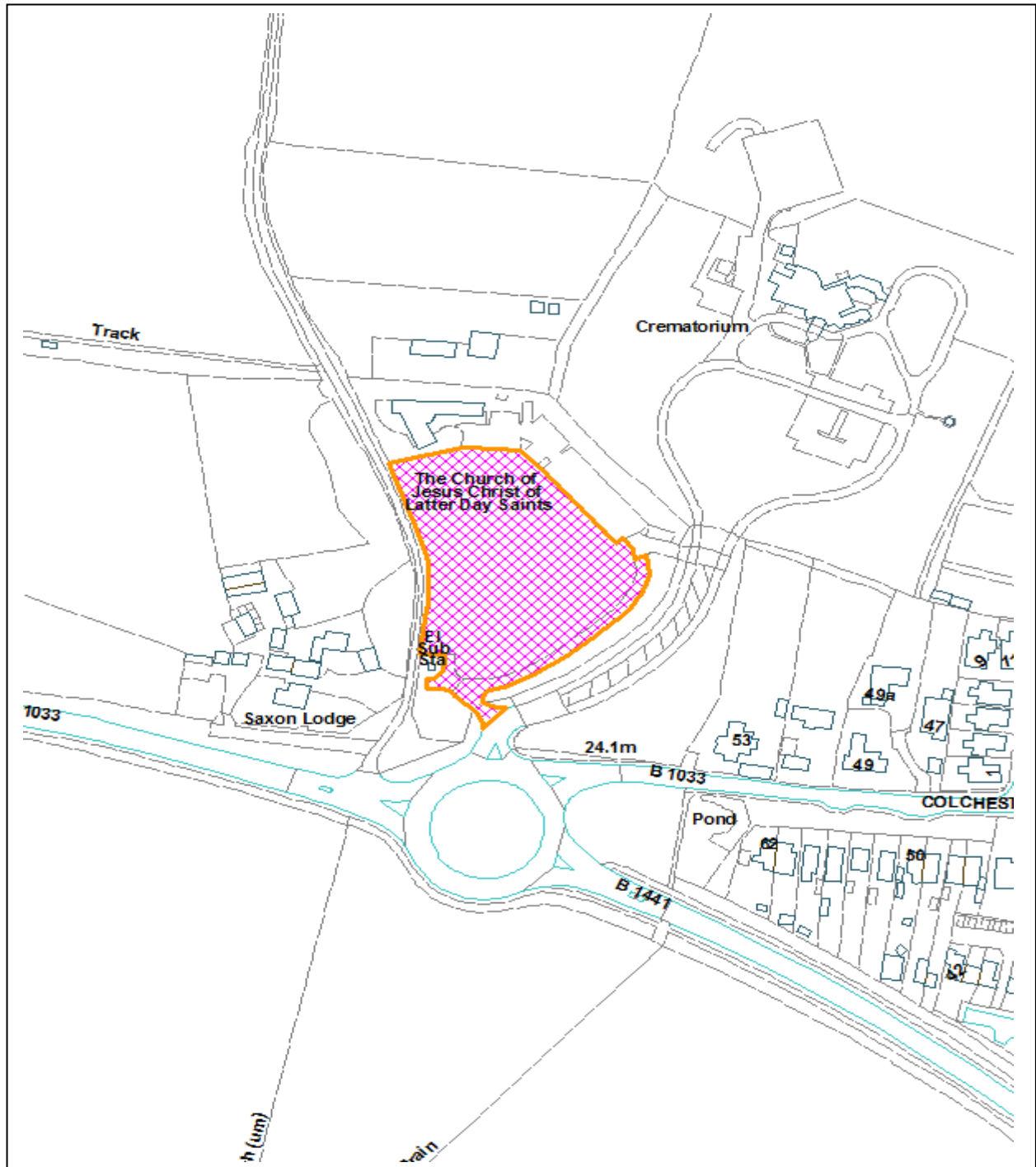


PLANNING COMMITTEE

27 FEBRUARY 2018

REPORT OF THE HEAD OF PLANNING

A.4 PLANNING APPLICATION - 17/02080/DETAIL - LAND SOUTH OF THE CREMATORIUM, COLCHESTER ROAD, WEELEY, CO16 9JP



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Application:	17/02080/DETAIL	Town / Parish: Weeley Parish Council
Applicant:	St Osyth Beach Estate Ltd	
Address:	Land South of The Crematorium Colchester Road Weeley CO16 9JP	
Development:	Residential development comprising of 9 dwellings.	

1. **Executive Summary**

- 1.1 Outline application 16/00182/OUT for residential development of up to 9 dwellings on this site was approved at Planning Committee on 18th May 2016. This application is referred to committee as the original outline application was approved along with three other housing developments in the Weeley area at the 18th May 2016 committee. All applications were submitted by the same applicant. At reserved matters stage the other three applications were referred back to committee at member's request. Therefore to be consistent the Head of Planning has requested that this application is referred back to the Planning Committee for determination.
- 1.2 This application seeks approval of the reserved matters application for the erection of 7 x 5 bedroom dwellings and 2 x 4 bedroom dwellings. Each property would be detached and served by garaging and driveway parking with access to the development being taken from the existing access point.
- 1.3 The application site is situated on the northern side of Colchester Road to the west of the village of the Weeley, outside of, but opposite to, the defined settlement development boundary of Weeley Heath as set out in the Tendring District Local Plan (2007) but fully within the defined settlement development boundary of the draft Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).
- 1.4 As established through the granting of outline application 16/00182/OUT, the principle of residential development for 9 dwellings on this site is accepted.
- 1.5 This reserved matters application satisfies design and highways, trees and landscaping, biodiversity and residential amenity considerations and is recommended for approval.

Recommendation: Approve

Conditions:

- 1). All parking areas and garages to be provided prior to first occupation of the dwellings and retained as approved for parking purposes only.
- 2). Provision of acoustic fencing prior to occupation and retention.
- 3). Submission of construction method statement.
- 4). Accordance with approved plans

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

QL11 Environmental Impacts and Compatibility of Uses

HG1 Housing Provision

HG6 Dwelling Size and Type

HG9 Private Amenity Space

HG14 Side Isolation

EN1 Landscape Character

EN6 Biodiversity

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

SPL3 Sustainable Design

LP1 Housing Supply

LP4 Housing Layout

PPL3 The Rural Landscape

Local Planning Guidance

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 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they 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**

16/00182/OUT	Residential development comprising of up to 9 dwellings.	Approved	20.05.2016
17/02080/DETAIL	Residential development comprising of up to 9 dwellings.	Current	

4. **Consultations**

ECC Highways Dept	No objections to the development.
Tree & Landscape Officer	The development of the land will not adversely affect existing vegetation and shows an adequate level of soft landscaping that will both partially screen and enhance appearance of the development.
Waste Management	No comments received.
Essex Wildlife Trust	No comments received.
Natural England	No comments to make upon the application.
Asset Management Team	No comments received.
Public Realm Dept	<p>As the operators of the Weeley crematorium we would like to oppose the proposed development. There is considerable evidence to support concerns about noise, mess, negative impact on communities during development.</p> <ul style="list-style-type: none"> - This development will alter permanently the immediate area which is currently a quiet space set aside for the use of the public of Tendring to remember their departed loved ones. - The proposed development by reason of its size, depth, width, height and massing would have an unacceptably adverse impact on the amenities of the property immediately adjacent to the site (the crematorium) and the surrounding area by reason of overlooking, loss of privacy and visually overbearing impact. - We are concerned about summer barbecues, parties, noise, smells and traffic all impacting on this important local amenity and service. - The site access proposals are not in accordance with acceptable standards and would lead to potential safety hazards. This includes safety issues around vehicles visiting the crematorium as well as potential hold ups and interference with the crematorium business by means of access adjacent to the road into the crematorium. It also appears as if there will be a requirement for 2 way vehicle movement at the entrance which will cut across the line of vehicles entering and leaving the crematorium. This is both dangerous and an unacceptable burden on the operation of the crematorium.

We do not consider this development to be appropriate to or sympathetic with the current use of the area.

5. Representations

5.1 Weeley Parish Council provides the following comments;

- Weeley Parish Council notes with concern that there is limited visitor parking and that the development consists of large houses on small plots.

5.2 4 letters of objection has been received covering the following points;

- Development would be insensitive to attendees of funerals at the Crematorium;
- Traffic will increase onto an already congested roundabout;
- Saxon Lodge Kennels will be affected by the development;
- Local doctor's surgeries, hospitals and schools are full;
- Over-development of Weeley;
- Trains are hourly and not sufficient to cater for new residents;
- Objections received from Crematorium operators;
- Need for a transport statement has been overruled by ECC-Highways;
- 2.5m acoustic fence will not reduce impact of barking to an acceptable level and the construction of a fence would be an unattractive addition;
- Narrow roads and cramped development;
- Concerns in respect of the chosen privately managed foul water pumping station and maintenance required for the sustainable urban drainage system.

6. Assessment

The main planning considerations are:

- Site Context;
- Proposal;
- Layout/Design;
- Residential Amenity;
- Highway Considerations;
- Landscaping/Biodiversity;
- Crematorium Operations; and
- Drainage Issues.

Site Context

- 6.1 The application site is located on the northern side of Colchester Road to the west of the village of the Weeley. The site measure 0.68 hectares in size and takes access from the south of a four exit roundabout. The site is currently laid to grass.
- 6.2 The site is bordered to the west by a cluster of buildings used as boarding kennels and a cattery along with an associated residential property. Hawk Lane is located directly to the west and gives access to Hawk Farm Shop. This narrow track runs along the length of the western boundary of the site. To the north of the site is a church which was constructed in 2011 and is run by the Church of Jesus Christ of Latter Day Saints. The church is accessed via a separate access that runs along the eastern boundary of the site. To the north-east of the site is Weeley Crematorium which is served by a separate access off the same roundabout exit.
- 6.3 The site is largely devoid of any vegetation apart from a small area of trees adjacent to the site access and some newly planted trees along the site perimeter.

- 6.4 The application site lies outside of the defined settlement development boundary of Weeley as set out in the Tendring District Local Plan (2007) and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017). The settlement boundary as established in the Tendring District Local Plan (2007) commences at the entrance of the village approximately 80m to the east of the site access.

Proposal

- 6.5 This application seeks approval of the reserved matters relating to outline permission 16/00182/OUT and the erection of 9 detached properties (2 x 4 bedroom and 7 x 5 bedroom).
- 6.6 The layout plan shows the 9 dwellings arranged off 3 internal estate roads. Four properties would face southwards addressing the roundabout and Colchester Road, whilst the remaining dwellings would address the access roads on which they are sited.
- 6.7 All 9 properties will be served by a private garden area in excess of the minimum 100 square metres required by Saved Policy HG9 of the adopted Tendring District Local Plan (2007).
- 6.8 All 9 properties will be served by 3 or 4 parking spaces in the form of a double garaging with parking in front. This provision comfortably accords with the current parking standards. A further 3 no. visitors parking spaces are also proposed.
- 6.9 The submitted landscape strategy plan shows a landscape buffer along the south-eastern boundary with shrub planting added between the site boundary and proposed secondary road. The existing hedge along the western boundary has been retained together with a 2.5m high acoustic fence and additional hedge and trees create a visual and noise barrier from the kennels at Saxons Lodge located to the east.

Layout/Design

- 6.10 The proposed development would be accessed via the existing entrance through the current brick piers. Four of the proposed dwellings would address the frontage of the site along the existing drive connected to The Church of Jesus Christ of Latter-Day Saints, which is parallel to the access way leading to the Crematorium. The remainder of the properties would be served by a proposed access along the western section of the site and a small private drive to the northern element. The western access road would be served by a turning head at its northern end to provide access for refuse and fire fighting vehicles. The dwellings are orientated so as to provide observation over the public streets creating a secure built environment and to avoid unsympathetic prominent boundary treatments. Along the western boundary with Saxon Lodge to the west a landscape buffer is to be introduced in conjunction with a 2.5m high acoustic fence to create a visual and noise barrier from the commercial kennels located at Saxon Lodge.
- 6.11 The properties will be of two-storey scale with single storey garages situated in-between. The dwellings are set on ample sized plots and would retain appropriate side isolation to the boundaries to ensure the development would not appear cramped or out of character in this location. In addition each dwelling would retain sufficient space to its frontage to incorporate soft landscaping to soften and enhance street scene views. Each property would be served by private amenity space in excess of that required by saved policy HG9 of saved local plan.
- 6.12 In respect of the design of the dwellings, the submitted plans show full height two-storey properties comprising of a mixture of house types within each street scene to provide variety. The properties would consist of traditional proportions and materials to respond to the local vernacular. The main external wall material will be red brick with secondary materials including white render and hanging tiles mainly to the facing gables. The roofs of

the dwellings will comprise of red clay tiles and the introduction of brick plinths, horizontal brick banding, chimneys and bay windows give the dwellings added interest.

- 6.13 Overall therefore the development would relate acceptably to the character of the area in terms of its layout, spacing and design and with the introduction of soft landscaping to supplement the existing perimeter planting, the development would represent an appropriate response to its surroundings.

Residential Amenities

- 6.14 The NPPF, in paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Tendring District Local Plan (2007) states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. Draft Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) supports these objectives.
- 6.15 The layout plan submitted demonstrates sufficient separation distances between properties and nearby dwellings to ensure that existing and future resident's amenity would not be harmed by the development. The back to back distances between properties accords with the guidance provided in the Essex Design Guide thereby preserving future resident's privacy levels.
- 6.16 At outline stage concerns were raised in respect of the impact of the development upon Saxons Lodge to the west of the site, which operates a commercial cattery and kennels business. Concerns were raised in regard to the potential for noise complaints from the future residents of the development. The nearest proposed dwellings to the kennels buildings at Saxons Lodge would be sited approximately 40m away with Hawk Lane and dense vegetation sited in-between. Notwithstanding this point an acoustic assessment has been provided to assess the impacts of dogs barking upon future residents and the likelihood of complaints. The assessment concludes the following;

'Whilst audible the existing noise levels are dominated by noise from road traffic on the A133. This noise from the kennels made no measurable difference to either the ambient or peak noise climate. Notwithstanding the above to reduce the likelihood of complaints from future residents it is recommended that a 2.5 metre high acoustic fence is erected along the western boundary and rooms facing directly towards the kennels are fitted with alternative means of ventilation so that windows can be closed, if desired, to reduce the impact of noise on future residents. Following the mitigation measures external peak noise levels will be below the existing background noise levels and inaudible within the properties'.

- 6.17 Consequently, the submitted plans show the provision of a 2.5m high acoustic fence along the western boundary to replace the existing earth bund and the planting of an additional hedgerow to soften its appearance. A condition is recommended to secure details of the acoustic fence prior to commencement of the development.
- 6.18 With the mitigation measures recommended above in place the potential for complaints from future residents would be minimal.

Highway Considerations

- 6.19 Essex County Council as the Highway Authority has been consulted on the application. They raise no objection to the development and vehicular access from the existing access into the site. At outline stage a transportation review of the site was provided which concluded that the site is served by good off-road links to the village of Weeley to the east and the area has highway street lighting that provides a safer highway environment. The survey also confirmed that the development traffic and pedestrian flows would be low.

- 6.20 A further highway technical note has been provided which shows that potential vehicle trip generation is expected to produce a total of 4 two-way vehicle movements in the morning peak and 5 two-way vehicles in the evening peak. The technical note concludes that this increase would have an immaterial impact on the local highway network. Furthermore, the note includes correspondence from ECC-Highways confirming that proposed scheme for 9 dwellings is below the threshold for a full Transport Statement and capacity assessment on local junctions.
- 6.21 The current parking standards require that for dwellings with 2 or more bedrooms that a minimum of 2 parking spaces is required. Parking spaces should measure 5.5 metres by 2.9 metres and garages, if being relied on to provide a parking space, should measure 7 metres by 3 metres internally. In this instance the properties will all be served by a minimum of 3 off-street parking spaces in accordance with the sizes noted above. In addition to this 3 visitor's spaces are to be provided within the development. This provision comfortably accords with the requirements of the standards.

Landscaping/Biodiversity

- 6.22 The landscaping scheme has been designed to respond to the need for sensitive treatment of the site boundaries. To the south-east frontage a landscape buffer is proposed with scrub planting added between the site boundary and the proposed secondary road. This helps to provide a natural soft edge to the development which supplements the existing tree planting along the Crematorium access. The existing hedge to the western boundary will be retained and additional hedging planted to soften the appearance of the recommended acoustic fencing. The existing trees and hedges along the northern and eastern boundaries will be retained. Extra low level hedge planting to the front gardens of dwellings has also been proposed. The Council's Tree and Landscaping Officer has confirmed that the development of the land will not adversely affect existing vegetation and an adequate level of soft landscaping is shown that will both partially screen and enhance appearance of the development.
- 6.23 At outline stage a phase 1 habitat survey was submitted which confirmed that the site is devoid of any species rich habitat due to it being predominantly grassland. As such at outline stage conditions relating to the timing of vegetation clearance and the use of sensitive lighting were included. The survey also stated that there is an opportunity to increase the ecological value of the site, which is currently low, via wildlife friendly landscaping and the provision of bat and bird boxes. Consequently, an ecological enhancement/mitigation plan has been agreed which includes the provision of bat roosts within garages, bird boxes to buildings and garden areas and any clearance works to take place outside bird nesting season.

Impact upon Crematorium Operations

- 6.24 An objection has been received from the Public Realm Department who operate the Crematorium. The objection relates to a number of matters largely concerning the principle of developing the site which was established at outline stage. It must be noted that no objection from the Crematorium was received during the consideration of the outline application.
- 6.25 Notwithstanding this point, the Crematorium is located approximately 130m to the north-east of the nearest proposed dwelling with a dense area of trees located within the intervening land. Consequently, any noise or disturbance associated with the occupation and construction of the dwellings upon the operation of the Crematorium would be minimal.
- 6.26 A detailed construction method statement will be secured via condition to control the areas of parking for construction vehicles, material storage areas and delivery zones along with the proposed construction hours.

Drainage Considerations

- 6.27 Although the development is not classed as a major development, as it consists of fewer than 10 dwellings, a drainage strategy has been submitted. The strategy identifies several methods for dealing with surface water including the use of Geocellular Systems, filter trenches and rainwater harvesting systems. The detailed design will however be agreed at Building Regulations stage.
- 6.28 In terms of foul water drainage it is proposed to connect to the existing foul water sewer in Colchester Road. Anglian Water has confirmed that their system has capacity to deal with the foul water from the proposed development.

Background Papers

None