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**LAND ADJACENT TO 45 HARWICH ROAD
LAWFORD, CO11 2LS**

TWO NEW DWELLINGS

**Reference
P M A / 5 1 6 / S P U R G I N Reference
P M A / 5 1 6 / S P U R G I N**

DESIGN AND ACCESS STATEMENT

Revision B 22 February 2021

Introduction

This statement has been prepared by Philip Morphy Architects for and on behalf of Mr and Mrs Spurgin, the applicants, at 45 Harwich Road Lawford. It should be read in conjunction with all submitted drawings and other reports

Location

The site is located approximately mid way between Ardleigh and Lawford villages, approximately 1.5 mile from each location. Both villages have a wide range of facilities such as shops, schools and public houses. It is on the A137 Harwich – Colchester Road.

Further afield you have the larger towns of Manningtree and Colchester which offer rail, bus and access to the A12 trunk road. There are several buses (102, 103 and 104) which run along Harwich Road which run to all of the above mentioned settlements. We consider the site to be sustainable.

The site has always been domestic curtilage to the main dwelling and has no agricultural or other designation

The Site

45 Harwich Road is a semi-detached house on the South side of Harwich Road. It is located in the middle of a ribbon of housing on the South side of the Road.

The property itself is located on the North boundary of the overall site which stretches back from the road by several hundred meters. Being to one side of the site leaves a large open area between 45 and the next houses to the West , Nos 44 and 43.



Overhead Photograph

Yellow bounded area shows site of planning application. Copyright Google Earth

The site area has been used as the applicants own domestic garden space and has never been used for any agricultural purposes within their ownership period (34 years).

The whole property has no agricultural tie and when it passed from being Crown Property to the applicants owenship it was classed as 'Undesignated'.

Brief

The applicants seek permission to erect two detached new dwellings on the open area of land between 45 and 44/43. This will be a continuation of historic housing development.

The site already has planning permission for two semi-detached dwellings under application reference 20/00338/ful.

The brief is for 2No dwellings, both of 4 bedrooms with two parking spaces per dwelling plus 2 visitors parking spaces. Both properties will have gardens of minimum 100sqm and also garages for parking / storage.

The development will have its own independent access as approved under application ref 20/01179/FUL

Photographs of the Site



View of site from centre looking NW



View of site from access looking West



View of boundary to West and No 44 with 43 beyond



Side elevation of No 45 facing onto the site



View of site from the South

Design Statement

In this vicinity there is no one great architectural style. Generally houses are 'chalet' type with rooms in the roof with dormer windows. Buildings face the street with the longest elevations facing the road. This reflects the long straight nature of Harwich Road itself.

This vernacular type has been adopted with these two new dwellings. The longest elevation presents a double fronted property to the front with a centralised front door. The roof is lowered so that a mixture of dormers, rooflights and small gables front the road to provide interest rather than having a true first floor. The properties are effectively separated by a garage block to reduce the overall visual mass of the structures.

In terms of materials typical red /brown stock brickwork is proposed to match the local type. In addition a slightly darker stock brick plinth will be provided and also Western Red Cedar cladding in isolated area to break up the mass further.

Windows, rainwater goods and soffits/facias will all be in UPVC. Windows to be off white.

The roof will be of concrete pantiles such as the Redland 'Breckland' tile shown below:

The logo for Redland, featuring a stylized red wave above the word "Redland" in a bold, red, sans-serif font.



Access:

A proposed new vehicular access has already been approved under application ref 20/01179/FUL. This allows vehicles to access the site without the need for shared access

Bins

These are currently left by the entrance point to the site and it is proposed that the new dwellings follow the same method, this is shown on the drawings

Materials.

All as noted on drawings

Archaeology

Whilst the site lies in an area of historic workers cottages there are no recovered artefacts recorded and the depth of the proposed works should not disturb any unrecorded finds.

The site is outside of the Dedham Vale AONB and is not is a conservation area.

Arboriculture and Ecology:

We have carefully considered the site in this context. The site is generally square, level and laid to grass. There is no trees on the site, other than those at the boundary which are common leylandii. These will be unaffected by the works.

There are no buildings on site and none of the buildings adjacent offer roosting opportunities. There are no water features in the vicinity. There is also no evidence of setts or other wildlife.

We therefore consider that no protected species will be affected by this development.

Flooding:

The site is not in a floodzone. Please see the attached Contaminated Land survey.

Planning Policy

The site lies outside the prescribed settlement boundary (2007) and the Tendring District Local Plan 2013-33. Policy 2007 suggests that development should be focused on urban areas.

Whilst the proposed development is outside of prescribed boundaries it is in the middle of an established ribbon development, which is continuing to be developed and therefore follows established developments lines. It is not seeking to extend said ribbon or to change its nature, it is simply an infill that follows that status quo.

In addition two dwellings have already been granted planning consent for the site so there is no additional increase in housing numbers. The application is simply to make the houses detached rather than semi-detached.

This ideal was recently defined by the appeal for planning reference 18/00469/ful. The planning inspector acknowledged the nature of the sites in this vicinity and confirmed that the following of the existing settlement pattern was acceptable. A full copy of the appeal document is included later on and we will not reiterate what it clearly states.

In addition application ref 19/01167/ful went to a planning appeal reference PP/P1560/W/20/3257132. This clearly stated that :

7. The site of the proposed dwellings is a grassed area of garden land to the side of No 45, with access being provided from the existing driveway onto the main road. The predominant form of residential properties in the surrounding area is semi-detached dwellings, as the Council contends. However, the spacing between the dwellings along the main road means that there is not a readily apparent sense of uniformity from the established pattern or type of development. Moreover, the recently-developed detached dwelling at No 43 provides for a degree of variety in the street scene. As such, where the principle of residential development on the site has been established by the existing permission, the fact that these would be detached rather than semi-detached dwellings would not harmfully affect the character and appearance of the surrounding area.

8. The dwellings' layout would result in a good degree of separation from the existing dwellings to either side. I note that Policy HG14 of the Tendring District Local Plan 2007 (the Local Plan) requires retention of appropriate open space between the dwelling and side boundaries of the plot; a one metre gap is indicated as a guideline. This separation would be achieved between the boundary and side of the dwelling on plot 1 by the provision of a parking space. The gap to the boundary from the side of the dwelling on plot 2 would be smaller, but there would still be a substantive gap between the dwelling, its boundary and the neighbouring dwelling.

9. The parking space between the two dwellings would allow for sufficient separation between them, while the dwellings would have generous open space to the front and rear. Consequently, the new dwellings would not appear cramped on the site or a form of overdevelopment. They would be positioned slightly forward of the existing building line of the established properties to either side, but this would not be incongruous or result in an undue prominence in the street scene. 10. Accordingly, taking these findings as a whole, I conclude that the proposed development would not have a harmful effect on the character and appearance of the appeal site and

surrounding area. Therefore, there is no conflict with Policies QL9, QL10 and QL11 of the Local Plan, which seek to ensure that all Appeal Decision APP/P1560/W/20/3257132 3 new development makes a positive contribution to local character, through high quality design and compatibility with existing uses. These policies are consistent with the Framework.

The principal is therefore that:

"18. Accordingly, taking these findings as a whole, I conclude that the proposed development would not have a harmful effect on the character and appearance of the appeal site and surrounding area. Therefore, there is no conflict with Policies QL9, QL10 and QL11 of the Local Plan, which seek to ensure that all Appeal Decision APP/P1560/W/20/3257132 3 new development makes a positive contribution to local character, through high quality design and compatibility with existing uses. These policies are consistent with the Framework"

It is confirmed that the Planning Inspector is content with the design and disposition of the buildings but has to refuse the appeal on other matters. A full copy of this appeal is appended to this application.

The appeal was dismissed solely because the Unilateral Undertaking was not completed at the time of the application, however we wish to note that this was not requested until after the planning committee meeting had rejected the application and the issue was therefore moot.

A second application ref 20/00338/FUL for two semi-detached dwellings was granted permission and a RAMS Unilateral Undertaking was completed for this application.

In addition there have been a number of detached dwellings proposed in the vicinity, and granted consent without ever going to a planning committee. These are as follows:

39 Harwich Road 20/01729/out. This is for two semi-detached dwellings commensurate with this application. This was approved under officers delegated powers.

43 Harwich Road 18/00469/ful (granted on appeal)

44 Harwich Road 19/1909/out

46 Harwich Road. Ref 20/01753/out and 20/01038/out

48 Harwich Road 19/01911/out

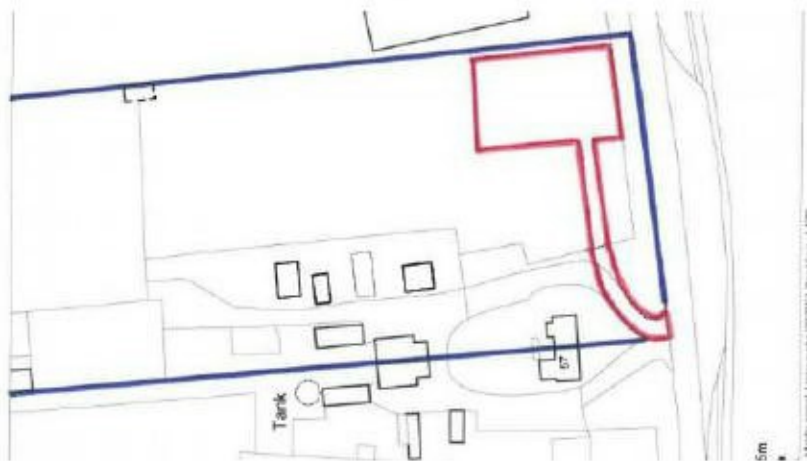
Land adjacent 55 Harwich Road 20/00935/out

Land adjacent 56 Harwich Road 20/00598/out and 20/00157/ful and 19/1496/out

57 Harwich Road 13/00876/FUL and 20/00477/FUL . Erection of two new dwellings with subsequent retention of existing dwelling.

58 Harwich Road 20/00053/out and a second dwelling 20/00687/out.

Both of these houses were applied for individually to form two new detached houses on the site. Neither application was called in to the planning committee and were passed under Officers designated powers. They are a direct precedent for the application here – other applications notwithstanding. As can be seen from the two site plans below the site is virtually identical



59 Harwich Road 20/01630/out . Currently under consideration

Both No 58 and 59 are in the Dedham Vale AONB. These should have been refused but were subsequently granted permission because works to 57 were approved. These did not go to a Planning Committee meeting.

It is reiterated that all of these were approved under officers delegated powers and none were called into the Planning Committee.

The question therefore is why the previous iteration of this application has had to be refused and then gone through an Appeals process when no other new dwellings along this stretch of road have had to go through the same process

Unilateral Undertaking.

A completed Undertaking is appended to this application. However it should be noted that the Unilateral Undertaking for application ref 20/00338/ful is still extant.

The Planning Appeal states:

Whether Adequate Provision would be made towards Mitigation Measures

11. The site is within the Essex Coast Recreational Avoidance and Mitigation Strategy (RAMS) zone of influence. The Essex Coast RAMS sets out the detailed mitigation measures that are to be delivered from the RAMS tariff related to the likely effects of residential development on a number of protected European sites. The relevant regulations require that if likely significant effects on a protected site cannot be excluded, then the competent authority must undertake an appropriate assessment of the implications for that site.

12. The Council undertook an appropriate assessment using the Natural England standard approach. The proposal is assessed as having likely effects on the Stour and Orwell Estuaries Ramsar and Special Protection Area (SPA) resulting from increased recreational disturbance, in combination with other schemes. Consequently, a tariff contribution per dwelling is required to mitigate the effects.

13. In these circumstances, I have relied on the appropriate assessment already undertaken by the Council and agree that a contribution is necessary to mitigate the likely effects in accordance with the Essex Coast RAMS. As such, the contribution sought meets the requisite tests set out in the Frameworks.

14. The appellants make no reference to this issue in their appeal submissions and no means of securing the necessary contribution had been forthcoming by the time of making this decision. Therefore, I must conclude that the proposal fails to ensure adequate provision towards the mitigation of likely significant effects on a protected European site. Consequently, it is contrary to Local Plan Policies EN6 concerning the effects of development on biodiversity and EN11a concerning protection of international sites. It is also contrary to section 15 of the Framework.

Other Matters *15. At the time of making its decision the Council accepted that it could not demonstrate a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing, as required by the Frameworks. Consequently, the view taken was*

that the appeal proposal should be considered in the context of paragraph 11d) of the Framework.

This is noted however ref 20/00338/ful was agreed before that was in place and this application is simply an amendment of an existing permission.