



BROOKS LONEY

# Planning Statement Land North of Wix Road, Bradfield



Natalie Winspear MSc MRTPI

April 2021



## BROOKS LONEY

### 1. Introduction

- 1.1 This application for outline planning permission is submitted on behalf of D. C. Williamson to Tendring District Council for the “erection of 9 dwellings” at Land North of Wix Road, Bradfield, Manningtree (“the Site”).
- 1.2 This statement will provide justification for the proposal, including why it is considered to accord with the provisions of the development plan, which comprises the saved policies of the Tendring District Local Plan and relevant policy within the National Planning Policy Framework (“the NPPF”).

### 2. Application Site

- 2.1 The Site is located to the north of Wix Road to the east of the settlement of Bradfield. The Site comprises part of an existing agricultural field, which is part of a larger fruit farm, operating at Barn Farm to the east of the Site.



*View of site facing north west*

- 2.2 The land at the Site is generally flat with a hedgerow forming the south boundary adjacent to Wix Road. Mature trees form the western boundary of the Site beyond which is an existing dwelling. To the south side of Wix Road are detached two-storey and



## BROOKS LONEY

single-storey dwellings finished with a mixture of brick and render. The dwelling at Ivy Villa has attractive brick detailing on its front elevation.

- 2.3 The Site is not located within a Conservation Area and is not covered by any other local or national designation.
- 2.4 The Site is located outside of any defined settlement boundary. As a result, the Site is within the countryside for planning purposes.

### **3. Application Proposal**

- 3.1 This application proposes the erection of up to 9 dwellinghouses. The application is in outline form with all matters reserved. It is expected that the dwellings would be served by one access, with the majority of the existing hedgerow retained to preserve the character of the street scene.

### **4. Planning Considerations**

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decision-makers determine applications in accordance with the development plan, unless material considerations indicate otherwise.
- 4.2 The development plan comprises the Tendring District Local Plan. Material considerations include, but are not limited to, the National Planning Policy Framework and the Planning Practice Guidance.
- 4.3 It is noted that Section 1 of the Tendring District Local Plan 2013-2033 and Beyond: North Essex Authorities' Shared Strategic Section 1 Plan has been adopted, but the Section 2 element, which includes Tendring-specific policies has not yet undergone examination and should be attributed little weight.
- 4.4 Paragraph 48 of the NPPF states that "*local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given)*". As the Section 2 element of the emerging local plan has not reached an advanced stage, it is considered that, at this time, its policies should be afforded minimal weight.



## BROOKS LONEY

### Principle of Development

- 4.5 Policy QL1 of the Local Plan sets out a spatial strategy for the period up to 2011 and follows sustainable development principles. The policy aims to direct new development to locations within the defined development boundaries and permitting only development consistent with countryside policies outside of the defined settlement boundaries.
- 4.6 Paragraph 78 of the NPPF states that, in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 79 of the NPPF states that planning decisions should seek to avoid the development of isolated homes in the countryside. It is noted that Section 1 of Tendring's new Local Plan has now been adopted. However, Section 2 is still under examination and it is this section which will dictate specific housing site allocations relevant to the Council's ability to demonstrate a 5-year housing land supply. As this section is yet to be examined its policies can be attributed little weight. As such, based on recent Appeal decisions, including APP/P1560/W/19/3239002 (included as appendix 1 of this Statement), it asserted that the Council can currently demonstrate only 4.98 years supply of deliverable housing sites. On this basis and in accordance with para. 11 of the NPPF adopted policies concerning housing delivery, including settlement boundaries, are considered out of date. As such, any decision should be made against the presumption in favour of sustainable development.
- 4.7 The Site is located adjacent to, and opposite, existing development forming the settlement of Bradfield. This settlement is classified as a village in the Local Plan and a 'Smaller Rural Settlement' in the Emerging Local Plan. As such, although the development site is located outside a defined settlement development boundary it is in no way isolated and would read as an integral part of the village. In addition, it is not proposed to extend development beyond the existing settlement boundary to the south of Wix Road, where the road is fronted by 4 existing detached dwellings.
- 4.8 The site is also considered to be relatively sustainable when measured against the three facets of sustainable development set out in the NPPF, social, environmental and economic. Socially, the proposed development would provide 9 new homes within Bradfield which may be suitable for growing families already based in the village, meaning families and wider support networks can remain close and the village can continue to thrive. There is no footpath located along Wix Road. However, the site is within walking distance of the village Primary School and the centre of the village further to the west with its post office/corner shop. The site is also within walking



## BROOKS LONEY

distance of bus stops located on Heath Road which provide services between the village and Colchester town centre. This means that although new residents would be somewhat reliant on private car use, there are some daily activities which could easily be carried out on foot or using public transport.

- 4.9 Environmentally, the proposed development has the potential to increase biodiversity on what is currently agricultural land. Some of these potential environmental enhancements are set out in section 6 of the submitted Preliminary Ecological Appraisal. Further enhancements could be included in a subsequent landscaping scheme at the reserved matters stage. Finally, economically, the proposed development will provide temporary economic benefits during the construction phase through the generation of local employment. In addition, new residents would most likely become customers of the village public house and post office as well as other businesses in nearby Manningtree.
- 4.10 On balance, despite being located immediately outside the adopted, but out of date, settlement development boundary for Bradfield, the development is considered to be sustainable. The principle of developing the site for housing it therefore considered acceptable in planning terms.

### Effect on the Character and Appearance of the Site and its Surroundings

- 4.11 Paragraph 127 of the NPPF seeks to secure developments, which are sympathetic to local character and history, including the surrounding built environment and landscape setting. In addition, policy EN1 of the Local Plan seeks to protect and enhance the quality of the district's landscape and its distinctive local character. Any development which would significantly harm landscape character or quality will not be permitted.
- 4.12 The landscape on the edge of Bradfield is characterised by large arable fields divided by hedgerow. The application site itself is part of a wider field and fronted by an existing hedgerow forming its boundary with Wix Road. Immediately to the south of the site, on the opposite side of Wix Road are a row of detached dwellings of varying ages and styles, set back from the road behind small front gardens. The dwelling on the edge of the village here is set back behind a hedgerow similar to that fronting the application site.
- 4.13 As stated above the proposed development would involve the creation of 9 detached dwellings set back from the road to the north, facing the row of existing houses to the south. These new dwellings would be accessed via a single vehicular access off Wix Road, potentially utilising an existing gate/gap in the hedgerow, meaning that the



## BROOKS LONEY

majority of the existing hedgerow would be retained. The retention of the hedgerow will provide some screening of the development from Wix Road and will help to reflect the edge of settlement character of existing development here. As mentioned above the new dwellings will not project beyond the existing settlement boundary to the south of Wix Road. This means it will read as the start of, and part of, the village as opposed to isolated new development in the countryside. This edge of settlement location also means it will have only a limited impact on the character and appearance of the wider landscape.



*Existing gate in hedgerow fronting Wix Road*

- 4.14 This application is in outline only, with all matters reserved, and is intended to establish the principle of development here. However, should the application be approved a suitable design for the new dwellings could be achieved, which reflects and enhances the existing character of development in Bradfield as well as its wider rural setting. Any design will also incorporate a suitable landscaping scheme.
- 4.15 The proposed development would ensure that the existing character and appearance of the Site would be maintained and the effect on the surroundings would be acceptable



## BROOKS LONEY

and would accord with Policies GP1, E11 and CL18 of the Mid Suffolk Local Plan and the NPPF.

### Effect on Residential Amenity

- 4.16 Paragraph 127 of the NPPF requires that development proposals seek to ensure that existing and future users are provided “...with a high standard of amenity”. In addition, Policy CL18 and Policy E11 of the Mid Suffolk Local Plan (1998) seek to protect residential amenity.
- 4.17 As previously mentioned, the proposed development is located opposite four existing detached properties to the South of Wix Road. Two of these properties are single storey dwellings and two are 2-storey dwellings. The current proposals are in outline only and as such details of design are reserved. However, during any design process careful attention will be paid to maintaining, as far as possible, the existing amenity of properties to the south. The new dwellings will be set back from Wix Road behind the existing hedgerow leaving plenty of space between the frontages of new and existing properties. In addition, the proposed development will be adjacent a further detached property, currently forming the boundary of the village to the North of Wix Road. This dwelling is heavily screened by existing landscaping both from Wix Road and from the application site. This property also has a large front garden meaning the proposed development would sit forward of this property. There would therefore be no issues with regard to loss of privacy, light or overlooking of any existing dwellings.
- 4.18 It is accepted that there will be some disruption to amenity caused as a result of the construction phase of the development. However, this will be temporary and the applicant would be happy to accept suitable conditions limiting working hours etc to mitigate this impact to local residents.
- 4.19 The proposed development would not result in a reduction in the level of amenity enjoyed by occupants of neighbouring dwellings as a result of privacy, outlook, light and noise and disturbance. The proposal therefore accords with Policies CL18 and E11 of the Mid Suffolk Local Plan (1998) and the NPPF.

### Transport and Highway Safety

- 4.20 Paragraph 108 of the NPPF requires that application for new development should ensure that “...safe and suitable access to the site can be achieved for all users”. Paragraph 109 states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. Policy TR1A of the Local Plan states that development proposals



## BROOKS LONEY

affecting highways will be considered in relation to the road hierarchy to reducing and preventing hazards and inconvenience to traffic.

- 4.21 Although access matters are a reserved matter, the Site is capable of providing a safe vehicular access with adequate visibility splays in both directions and within the existing 30mph speed restricted zone.



*View of site frontage facing north west towards Bradfield*

- 4.22 It will also be possible to create suitable turning areas within the site to ensure vehicles can enter and exit the site in forward gear. In addition, each new dwelling will be designed with adequate parking in accordance with adopted Vehicle Parking Standards.

### Effect on Ecology

- 4.23 Paragraph 175 of the NPPF states that planning permission should be refused “if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for”.





## BROOKS LONEY

4.24 A Preliminary Ecological Appraisal has been carried out and accompanies this application. The appraisal recommends removal of any hedgerow between October-February to avoid bird nesting season but otherwise finds the site unsuitable for any other protected species.

### Flood Risk

4.25 Paragraph 155 of the NPPF seeks to ensure that development is directed away from the areas at highest risk of flooding (whether existing or future). According to the Environment Agency Flood Map for Planning, the Site is located within Flood Zone 1, indicating a low probability of flooding. In addition, the Site is identified as having a very low risk of surface water flooding.

4.26 The following screenshots (obtained from the 'gov.uk' website) demonstrate that the Site is located in an area of very low flood risk:-



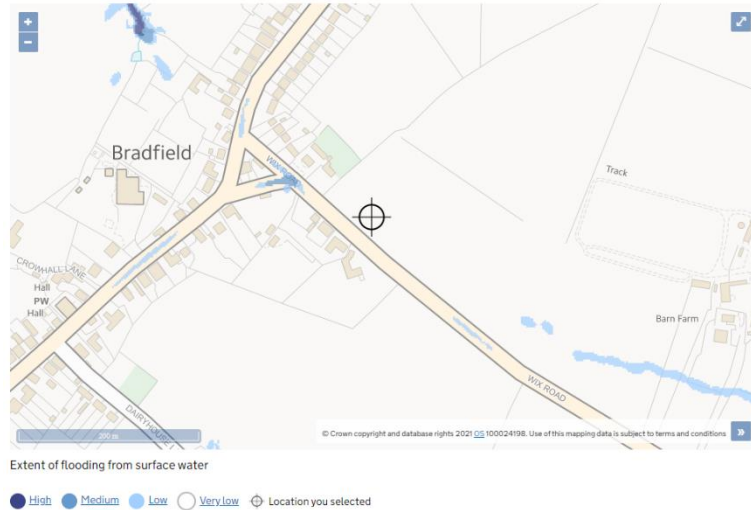
Extent of flooding from rivers or the sea

● High ● Medium ● Low ● Very low ○ Location you selected

Flood risk from rivers or the sea



## BROOKS LENNEY



Flood risk from surface water

- 4.27 Table 2 (Paragraph 066) of the Planning Practice Guidance Flood Risk and Coastal Change chapter classifies buildings used for dwellinghouses to be ‘more vulnerable’ to flood risk. Table 3 (Paragraph 067) states that ‘more vulnerable’ development in Flood Zone 1 is considered to be appropriate. The proposed change of use is therefore acceptable in respect of Flood Risk.

### Contamination Risks

- 4.28 Paragraph 178 of the NPPF requires planning decision makers to ensure that “*a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination*”.
- 4.29 The Site comprises an existing agricultural use as part of a larger fruit farm. There is no history of uses that may give rise to concerns in respect of land contamination. On this basis, it is expected that the potential for contamination at the Site is low. If necessary, a condition could be included requiring the submission and approval of a Site Investigation/Contamination Report, prior to development commencing. It is therefore suggested that the proposed development is acceptable in respect of contamination risks and in accordance with the provisions of the NPPF.

## 5. Conclusion

- 5.1 This is an application for planning permission for the “*erection of 9 dwellings*” at Land North of Wix Road, Bradfield, Manningtree.



## BROOKS LONEY

- 5.2 The principle of developing this site for housing is considered acceptable when measured against the presumption in favour of sustainable development set out in the NPPF. The proposal is acceptable in respect of its effect on the character and appearance of the area, on residential amenity, highway safety, and ecology and is acceptable in terms of flood and contamination risks. The proposal therefore considered to accord with the policies contained within the Local Plan and the provisions of the NPPF.
- 5.3 Taking into consideration the points raised within this statement, it is hoped that the Council will be able to positively consider this application and grant planning permission.