

**Planning Application by**

**Mr Brooker and Mrs Davis**

**Proposal : Erection of Two Bungalows and Three Chalet Bungalows**

**Site : Land Adjacent to 'Maymead' and 'Albert' Talbot Road and Thorrington Road  
Little Clacton**

**Planning Application Statement of**

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## **1.0 Introduction**

1.1 This application seeks Outline planning permission for the erection of two Bungalows and Three Chalet Bungalows adjacent to the residential properties 'Maymead' and 'Albert'. Maymead is situated on Talbot Road and Albert is located on Thorrington Road in the village of Little Clacton. Neither road is adopted. The village is within the District of Tendring. It had a population of 2,822 in the 2011 census. The town of Clacton on Sea is 2.5 miles to the south, Harwich is 9 miles to the northeast and it is 11 miles to Colchester. The nearest railway station is at Thorpe-le-Soken which is on the Sunshine Coast Line, a branch of the Great Eastern Main Line, with a direct link to London Liverpool Street.

1.2 The proposal is for two 3-bedroom bungalows and three 4-bedroom chalet bungalows. Approval is sought at Outline stage for Access and Scale. Accompanying the application are indicative elevations, floor plans and for the purposes of the Outline application a layout plan is submitted to demonstrate how the development could be laid out, planned, and comfortably accommodated within the application site whilst respecting the character and disposition of the surrounding development. The application site is situated at the western portion of the two roads, forming part of the garden and amenity space of Maymead. The proposed dwellings are traditional in form, scale and design with pitched and hipped roofs. The chalets include Dormer windows within the roof slope.

1.3 The site sits within the defined development boundary of Section 2 of the Tendring District Local Plan Publication. The application is therefore acceptable in principle. The development boundaries to Little Clacton and other settlements have been defined to encourage sustainable patterns of growth and carefully control urban sprawl.

1.4 The proposal represents sustainable housing located where it will enhance or maintain the vitality of the rural community. Economically the proposal will provide employment for the builders and suppliers employed to undertake the development. The development will increase the number of people residing in the settlement, thereby supporting the facilities and services of the village.

1.5 Enclosed with this submission are drawings of the location, indicative Block Plan, and typical floor plans and elevations. Two street scene images are also provided. A Unilateral Agreement under S106 of the Town and Country Planning Act, or a direct payment to the Council, for Recreational Disturbance, Avoidance and Mitigation Contribution will be submitted separately, once the Council has allocated the planning application with a reference number.

## **2.0 Site Description**

2.1 Talbot Road and Thorrington Road are situated in the northern portion of the settlement. The older properties of the two roads are plotland in character. Detached in large gardens set back from the road. The properties have wide verges, and their boundaries are defined by brick and render walls, vertical ship lap board fencing and hedging. These older dwellings are either single storey or one and a half storey, punctuated by dormer windows.

2.2 In the last decade two meadows at the entrance to each of the roads have been developed with detached and semi-detached bungalows and chalet bungalows. These are attractively designed and follow the same established pattern and character of the existing dwellings with wide plots and, in respect of Thorrington Road, the dwellings are positioned in a uniformed row having long individual driveways with similar hedging and means of enclosure to the more established housing.

2.3 Little Clacton is served by a Post Office, Public house, Primary school, playing fields and recreation and play areas. It has two churches, a veterinary surgery and farm shop and garage.

2.4 The area is served by the bus services 2,3,4, 76 and 702 . These are operated by First Group, Hedingham bus company and Stephenson's of Essex. They also provide links to Clacton and Colchester, and Clacton and Harwich. These provide links to the railway stations at Thorpe-le-Soken and Weeley linking to London Liverpool Street.

2.5 The application site itself is part of the garden and paddock to Maymead and contains a stable block and nissen hut. The site area is 0.41 hectares in size and is flat defined by poor quality hedging fronting onto Talbot Road with well tended hedging onto Thorrington Road and a well maintained hedgerow on the western portion of the site.

2.6 Please find enclosed with this application as Appendix A, Aerial images of the site.

### **3.0 Proposal**

3.1 The proposal is to remove the stables and nissen hut and to erect two 3-bedroom bungalows and three 4-bedroom bungalows. A bungalow and chalet bungalow is proposed on Thorrington Road and on Talbot Road a bungalow and two chalet bungalows. Like recent development of housing on Thorrington Road the layout, disposition of dwellings and their garden curtilages and access driveways all follow a similar pattern. They are equidistant to the roads and equally spaced. The existing better-established hedging is retained, and the driveways will require small narrow gaps to be introduced into the hedges.

3.2 The dwellings are traditional in form, scale and design with pitched and hipped roofs. The chalets include Dormer windows within the roof slope. The proposed dwellings are shown for the purposes of seeking approval for scale and are shown with external fenestrations of brick, render, boarding and slate or tile finish. Each dwelling has a garage space which accords with the adopted vehicle parking standards in terms of the dimensions of each. Additional parking is shown on the driveways in front of the dwellings.

#### **4.0 The legal framework**

4.1 The application is required to be determined in accordance with the Development Plan. The legal position is set out in Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise"*.

4.2 It is common ground that the Framework is a 'material consideration' of substantial weight and regard must be had to these national policies.

4.3 In this instance the relationship of the site to village services and public transport and the provisions of the NPPF and the NPPG are important material considerations, together with the precedents set by decisions within the locality.

## 5.0 Development Plan and Planning Considerations

### Development Plan Policies

5.1 In this case the Development Plan includes the Tendring District Local Plan 2013-2033 and Beyond: North Essex Authorities' Shared Strategic Section 1 (NEASSS), and the saved policies of the Tendring District Local Plan 2007 (LP). Part 2 of the Deposit Local Plan (DLP2), is currently subject to an examination by Inspectors appointed by the Secretary of State for Housing, Communities and Local Government. The Inspectors have set out in a letter dated 19<sup>th</sup> May 2021 the Main modifications required to make the Plan sound. The next stage is that the main modifications will be published for consultation.

### Appropriate Location for new Housing

5.2 Policy QL1 Spatial Strategy of the LP has been superseded by NEASSS Policy SP3. Appendix A of the NEASS refers. Policy QL1 referred to development being concentrated within settlement development boundaries. The replacement Policy SP3, Spatial Strategy states *"North Essex Existing settlements will be the principal focus for additional growth across the North Essex Authorities area within the Local Plan period. Development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role both within each individual district and, where relevant, across the wider strategic area. Future growth will be planned to ensure existing settlements maintain their distinctive character and role, to avoid coalescence between them and to conserve their setting"*.



5.3 The application site is defined as being within the settlement in the DLP2. Given that Policy QL1 of the LP has been superseded, very limited weight should be given to Proposals Inset 17 of the LP. Further, DLP2 is now very advanced and Policy SP2 and Proposals Map 'B.19 Little Clacton' will be adopted without modifications. Given this Spatial Strategy for North Essex, AND that the site lies within DLP2 Proposals Map for Little Clacton then the principle of residential development is, therefore, acceptable. Please find enclosed as Appendix B DLP2 proposals Map for the District and Little Clacton.

5.4 As an aside to the Development Plan position, it should be noted that previously, similar applications, on Thorrington Road, Homing Road and Talbot Road, from 2013 onwards, have been dealt with by the Council as being within the Settlement Boundary. In these cases, the Council referred to the sites as being within the settlement boundary of the Tendring District Local Plan submission 2012.

5.5 It should also be mentioned that there are other residential dwellings, within the immediate area. There are bus services to Clacton and Colchester with the bus stops located 450 metres from the Application site. The two railway stations are located at at Thorpe-le-Soken and Weeley. The stations are 2.5 kilometres and 2.6 kilometres respectively, from the application site. The site is also within walking distance of the village services or a short bicycle ride.

5.6 Therefore there are relevant local services in the village and the towns, close to the application site. Travel into London can be accessed by rail, a short trip away by

bus, car, taxi or bicycle ride from the site. The addition of five dwellings will contribute towards supporting services and can be considered an enhancement and should be seen in the context of cumulative effect. The development would therefore make a positive contribution to maintaining the viability of rural communities. Paragraph 78 of the Framework states *“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”*

5.7 It should also be noted that the site falls within Flood Zone 1 and no Flood Risk Assessment is required,

#### Housing Supply

5.8 The Council cannot demonstrate a 5 year supply of housing land. Therefore, as a consequence, the tilted balance in favour of sustainable development applies under paragraph 11(d) (ii) of the NPPF. The presumption in favour of sustainable development means (d ii of paragraph 11 of the NPPF) that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. There are no adverse impacts that would significantly and demonstrably outweigh the benefits of an addition to the housing stock in a location within the Proposals Map 'B.19 Little Clacton' of the DLP2 given services within the village and a reasonable public transport service for a rural area.

Whether the proposal is Appropriate and will respect the character of this part of the Settlement.

5.9 Talbot Road and Thorrington Road are mainly a mixture of one and one and a half storey bungalows and chalet bungalows. They are detached and relatively well spaced set out in a fairly uniform manner and each are set in fairly substantial grounds.

5.10 For this application approval is sought in principle for residential development, for five dwellings with the access to each of them and the scale of development approved at the Outline stage. Matters of Appearance, Landscaping and Layout are reserved.

5.11 For access, each proposed individual dwelling has a separate driveway, and these replicate all of the established housing and new housing recently approved on the two roads. The scale of development is reflected in the numbers of dwellings sought, the types of dwellings proposed and in the submitted elevation, floor plan and street scene drawings. All seek to be sympathetic to the character and appearance of the houses within the immediate locality. The layout, appearance and landscaping are reserved for the future developer of the site to have flexibility in the approach that they may wish to take. However, the drawings submitted, including the layout plan and elevation drawings, demonstrate fully how the site can accommodate the proposed development. The plans also show that the dwellings themselves and the overall development shall be visually attractive, represents good architecture, and can be carefully planned with appropriate and effective landscaping. The proposal further demonstrates that the scheme is sympathetic to the local character and the historic

pattern of development, is carefully designed to reflect the surrounding built environment and landscape setting. Paragraph 127 of the NPPF refers.

5.12 The proposals will not have detrimental impact on the amenities of neighbouring properties, their level of privacy, nor will the proposals have any overbearing impact. We are of the opinion that the dwellings are of an appropriate design for this part of Essex and accord with Policies EN1 of the LP. The scheme also accords with Policy SP 7 of NEASSS and SPL 3 of the DLP2.

### Biodiversity

5.13 The Applicants are agreeable to enter into a Unilateral Agreement under S106 of the Town and Country Planning Act to provide a proportionate financial contribution towards the Essex Coast Recreational disturbance Avoidance Mitigation Strategy. It would be very helpful if arrangements could be made to pay this fee at the planning application stage rather than by way of a S106 agreement, and if agreement is sought that the application or any Appeal is dismissed that the fee is reimbursed. (Examples of this approach are taken by Chelmsford City Council and Braintree District Council). If this is not possible the Council is invited to provide us with a copy of the latest S106 Unilateral Agreement Template to be completed. The proposal, with this in place, will accord with Policies EN6 and EN11a of the LP and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

## **6.0 Conclusion**

6.1 The Principle of residential development is acceptable. Policy SP2 and Proposals Map 'B.19 Little Clacton' of the DLP2, will be adopted without modifications which fully supports the development of the site.

6.2 The application site adjoins existing established housing to the east and south. In the last decade planning permission has been granted for similar small scale residential developments to the east of the site.

6.3 The site is sustainable in transport terms with bus services to Clacton and Colchester and the settlements in between, with the bus stops being located 450 metres from the Application site. Two railway stations at Thorpe-le-Soken and Weeley exist which are 2.5 kilometres and 2.6 kilometres respectively away.

6.4 There are also relevant local services in the village close to the application site. The addition of five dwellings will contribute towards supporting services and can be considered an enhancement and should be seen in the context of cumulative effect. The development would therefore make a positive contribution to maintaining the viability of rural communities.

6.5 Whilst not fundamental to the principle of development, the Council cannot currently demonstrate a 5 year supply of housing land. Therefore, as a consequence, the tilted balance in favour of sustainable development applies under paragraph 11(d) (ii) of the NPPF.

6.6 As well as the principle of development, approval is also sought for access. In this case each proposed individual dwelling has a separate driveway and this replicates all of the established housing and new housing recently approved on the two roads.

The scale of development is sympathetic to the character and appearance of the houses within the immediate locality. The drawings demonstrate how the proposed development can be comfortably accommodated onto the site and that the scheme will be visually attractive, represents good architecture, and can be carefully planned with appropriate and effective landscaping. The proposal further demonstrates that the scheme is sympathetic to local character and the historic pattern of development, and is carefully designed to reflect the surrounding built environment and landscape setting. Paragraph 127 of the NPPF refers.

6.7 The Council is respectfully invited to Grant Outline planning permission. Should the Authority require any clarification or additional information, then please do contact this Practice.

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