

Land at Abbey Bottom Farm, Harwich Road, Wix

**One detached dwelling with associated
parking.**

Planning Statement



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1.0 Introduction

- 1.1 This Planning Statement is prepared on behalf of Mrs Milwain and is submitted in support of a planning application for the erection of one detached dwelling on land at Abbey Bottom Farm, Wix. This statement should be treated as forming part of the application, and includes details on the site and its surroundings, the intended scheme and how it relates to adopted and emerging planning policies. It is considered that the statement accords with the advice contained within the Development Management Policy Annex: Information Requirements and Validation for Planning Applications issued on 16th March 2010 and The Town & Country Planning (Development Management Procedure) (England) Order 2010.
- 1.3 Although the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2013 removed the requirement for Design and Access Statements to be submitted with minor planning applications, this statement is submitted to explain the rationale behind the development to assist the Local Planning Authority in making its decision.
- 1.4 The application is also accompanied by a Flood Risk Assessment having regard that part of the applicants land is within flood risk zones 2 and 3.

2.0 Site and Surroundings

- 2.1 The site measures approximately 0.3 hectares in size and is situated to the rear of Abbey Bottom Farm, which can be found on the north side of Harwich Road. It forms part of a much larger holding extending to approximately 2.4 hectares. Towards the front of the site is a detached dwelling with an unusual gambrel style roof, . The land previously formed part of a small holding, but was severed and all agricultural activity ceased approximately 20 years ago. A number of 'nissen hut' type farm store buildings are also on the land.
- 2.2 Access is obtained direct from Harwich Road adjacent to Brooklands. Adjoining the vehicular access is a public footpath which then continues across the western half of the applicants land in a north westerly direction. The land rises gradually from the south, up to the embankment of the A120 Wix bypass.

2.3 The majority of properties along Harwich Road extend along the road frontage, although the existing property is set further to the rear. Other properties in the area are also shown set back from the highway, including Old Mill House located directly opposite the entrance into the application site

2.4 Wix is a relatively large village that has seen reasonable growth over the past 20 years, largely through the redevelopment of former commercial premises. The focus of the village is at the crossroads. A number of services are available, including a well-used village shop, post office, public house, village hall and sports ground. There is also an equestrian centre nearby and a range of employment with a number of small businesses located both within and immediately adjacent to the village. Two further businesses will shortly relocate to the new units under construction at the Abbey Barn site immediately to the north.

3.0 Relevant Planning History

3.1 There has been a mixed planning history at the site, primarily concerning the retention of mobile homes on the land which were stationed in connection with the development of the original small holding and associated dwellinghouse. An application for a new dwelling house was submitted last year but withdrawn in order to examine the flood risk issues that affected part of the land.

4.0 Policy Context – Current Planning Policy Position

4.1 Tendring District Council was in the process of producing a new Local Plan document (Tendring District Local Plan 2012) to replace the Local Plan which was adopted in 2007 (TDLP 2007). The new Local Plan document was due to be submitted for examination but the Council has since suspended work on this plan. A new Local Plan is apparently to be submitted for consultation later this year. However, the Council continue to refer to the emerging planning policies when determining planning application. The emerging Tendring District Local Plan 2012 and particularly the Tendring District Local Plan: Pre-Submission Focused Changes (TDLP:PSD), which were subject to a consultation process in February 2014, have therefore been referred to when justifying this development proposal. The emerging policies contained within the TDLP:PSD should be attributed some weight in accordance with paragraph 216 of

the NPPF. However, where there is any conflict between the adopted planning policies and the National Planning Policy Framework (NPPF) we have considered the adopted policy to be out of date in accordance with paragraph 14 and paragraphs 215 & 216 of the NPPF.

4.2 The Council acknowledges that it cannot currently demonstrate an adequate five-year land supply. As a result, the Council's adopted policies in relation to housing supply cannot be considered up to date as set out in paragraph 49 of the NPPF. On this basis, the presumption in favour of sustainable development must be raised. We therefore believe that the proposal needs to be assessed against the three dimensions of sustainable development as set out in paragraph 14 of the NPPF.

5.0 National Guidance

5.1 The National Planning Policy Framework (March 2012) advises that in determining planning applications for residential development, local planning authorities should take into account the Development Plan Policies and all other material considerations. Local planning authorities should follow the approach of the 'Presumption in Favour of Sustainable Development' and that development which is sustainable should be approved without delay. It emphasises the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than a barrier.

5.2 The NPPF sets out 12 core planning principles which should underpin the planning decision-making process. The core principles that are pertinent to this case is that planning should either:-

- Not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account

of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;

- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it; and
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

5.3 The NPPF states that to promote sustainable development in rural areas, housing should be located where there are groups of smaller settlements and should avoid new isolated homes in the countryside. Further, it states that housing applications should be considered in the light of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites. The basic thrust of the guidance is that where local planning authorities cannot demonstrate an up-to-date five-year supply of deliverable sites or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing. To consider the site to be 'deliverable', Paragraph 47 of the NPPF states that 'sites should be available now, offer a suitable location for development and be achievable with a realistic prospect that housing will be delivered on the site within five-years and in particular that the development of the site is viable'. This application would meet this test as it is currently available and will be deliverable within the given timeframe once planning application is approved.

5.4 It does mean that land being unallocated or located outside defined settlement boundaries could no longer be a sole reason for refusal. In judging whether a residential scheme should be granted, it would be necessary to set out the weight

attributed to the planning benefits which the proposal offers in making up the current housing land supply shortfall against the harm identified arising from the proposed development.

5.5 At present, Tendring District Council is in a position where it is unable to demonstrate that there is an adequate five years supply of housing land to meet the current housing target. In this instance the Council would have to consider the proposal on its merits other than just being outside the settlement boundary, with assessment emphasis taken from the NPPF at Paragraph 49, which states that housing applications should be considered in the light of sustainable development.

5.6 With regard to the design of development, Paragraphs 56-61 of the NPPF supports good design in all development and Councils should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.

6.0 Local Planning Policy

Emerging Policies

6.1 The application site is located within the defined development boundary for Wix as identified in the Policies Map of the Tendring District Local Plan: Proposed Submission Draft (2012).

6.2 Policy SD1 of the TDLP:PSD states the Council will take a positive approach that reflects 'the presumption in favour of sustainable development' as contained in the NPPF. Further, the Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the TDLP:PSD will be approved without delay, unless material considerations indicate otherwise

6.3 With regard to Policy SD8 in relation to the hierarchy of transport types, the Council will require that all proposals for new development will be required to maximize

accessibility through their location to existing services and facilities and by providing safe pedestrian and cycle connections to existing networks as a priority over motorised form of transport. Any development that fails to demonstrate that the provision of transport types in the policy's hierarchy of transport modes has been given full consideration will not be acceptable.

- 6.4 Policy SD9 in relation to the design of development is divided into three parts A, B and C. Part A of the policy provides the Council planning criteria for ensuring development is well designed and relates to its surroundings. Part B ensures that the practical requirements have been addressed and Part C ensures that new development should be compatible with surrounding uses and minimise any adverse environmental impacts.
- 6.5 Policy HG13 relates to backland development. "Backland" developments are defined as the proposed erection of one or more dwelling houses on a parcel of land which lies generally behind the line of existing frontage development, has little or no frontage to a public highway; and which would constitute piecemeal development in that it does not form part of a large area allocated for development. Typical sites include the back gardens of existing dwellings, smallholdings, yards, or small vacant sites.
- 6.6 The policy states that proposals for the residential development of "backland" sites will be permitted where all of the following criteria are met:
- i. the site lies within a defined settlement development boundary and does not comprise land allocated or safeguarded for purposes other than a residential use;
 - ii. where a proposal includes existing private garden land which would not result in less satisfactory access or off-street parking arrangements, an unacceptable reduction in existing private amenity space or any other unreasonable loss of amenity to existing dwellings;
 - iii. a safe and convenient means of vehicular and pedestrian access/egress can be provided that is not likely to cause undue disturbance or loss of privacy to neighbouring residents or visual detriment to the street scene. Long or narrow driveways will be discouraged;
 - iv. the proposal does not involve "tandem" development using a shared access;

- v. the site does not comprise an awkwardly shaped or fragmented parcel of land likely to be difficult to develop in isolation or involve development which could prejudice a more appropriate comprehensive development solution;
- vi. the site is not on the edge of defined settlements and likely to produce a hard urban edge or other form of development out of character in its particular setting;
- and
- vii. the proposal would not be out of character with the area or set a harmful precedent for other similar forms of development.

Adopted Local Plan Policies (2007)

- 6.7 Policy QL1 does not define this area of Wix to be within the settlement development boundary of the village, where development is considered appropriate within the development boundaries. However, due to the Council's current lack of an adequate five years land supply this policy cannot currently be applied to the subject application.
- 6.8 Policy QL11 ensures that development is located where the proposal will be compatible to the surrounding uses. It should be of a scale appropriate to its setting and protect the privacy daylight and amenity of surrounding occupiers. The proposal should not result in the loss of important buildings of architectural interest or other landscape or ecological value. In addition, the development should not have a materially damaging impact on road traffic safety or cause pollution or a nuisance to nearby residents.
- 6.9 The Council stipulate high design standards within Policy QL9 and QL10. As this proposal is submitted in outline form these policies are more applicable to the following reserved matters application.

7.0 Proposed Development

- 7.1 Full planning permission is sought for the construction of one residential dwelling with off-street parking to be located on the land to the rear of Abbey Bottom Farm. Vehicular access to the property will utilise the existing arrangement which leads onto Harwich Road. A new private drive will then extend to the west of the existing property, to be served by a turning area and parking for two vehicles.

7.2 The proposed building would be in the form of a chalet bungalow. It would comprise three bedrooms, with two bedrooms and a further study area contained within the roof space. The building would have a ridge height of 6.8m, and with the exception of three small box dormers, would have the appearance of a bungalow. The rear wing would be set behind the ridge of the main building and not visible from any public viewpoint. Similarly, a side element would be restricted to single storey only to reduce the overall bulk of the building. The building would be constructed of red stock brick and dark grey cement fibre weatherboarding and the use of natural slate for the roof.

7.3 The Council's adopted Development Plan contains policies to deliver high value or high quality houses for any settlement within the District, it is considered that the proposal would accord with the Council's policies and the NPPF. It is considered that the scheme would make provision for an individually designed dwelling within Wix and would also contribute to the five-year land supply that is not met within the current adopted local plan.

7.4 The property will have a private amenity space of over 100⁺ square metres which will meet the Council's adopted policy requirements. There is scope for substantial planting around the perimeter of the site which would make a positive contribution to the bio-diversity from a net loss to achieving net gains for nature. This is in accordance with the principles contained within the NPPF.

7.5 This scheme has taken into account the likely impact upon existing neighbouring residential properties to the south of the site. The new dwelling will be carefully positioned and designed to ensure that the existing residential properties will not be adversely affected by reasons of loss of light, overlooking and privacy.

8.0 Highway Issues

8.1 The existing access and egress point leading on to Harwich Road will remain, and is considered suitable to accommodate the traffic associated with one dwelling with appropriate visibility splays available in both directions. The property will have off-street parking and a turning area will be provided within the application site to meet the Council's adopted standards. Following consultation with Essex County Council Highways department, it is understood that there is no objection to the scheme on highway grounds.

9.0 Flood Risk

9.1 The Environment Agency Flood Risk maps show a large section of the applicants land to be within zones 2 and 3, the highest risk from flooding. The northern part of the property is however within zone 1. As a consequence, the proposed dwelling is proposed to be sited within zone 1. Nevertheless, a flood risk report has been commissioned from Richard Jackson engineering consultants. This report has shown that while the eastern half of the holding remains at risk in accordance with the EA flood zone 3 designation, as a consequence of the development of the existing dwelling, the western part of the land has now no greater risk than as defined within zone 1. Subject to the requirement that the access road is constructed of a permeable material, there will be no risk of flooding to the occupants of the new dwelling or to any other property in the locality.

10.0 Sustainability

10.1 At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development (the 'presumption') and is central to the policy approach in the Framework, as it sets out the Government's changes to the planning system and emphasises the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than a barrier.

10.2 It advises that in determining a planning application for residential development, local planning authorities should take into account the Development Plan Policies and all other material considerations. Local planning authorities should follow the approach of the 'presumption in favour of sustainable development' and encourage the effective use of land, providing that it is not of high environmental value and that development which is sustainable can be approved without delay. As the Council cannot currently demonstrate an adequate five-year land supply the presumption in favour of sustainable development is therefore applicable to this case as set out in Paragraph 14 of the NPPF.

10.3 The proposal therefore needs to be considered against the three dimensions within the definition of 'sustainable development,' providing for an economic, social and environmental role. This approach has been recently adopted by some Inspectors in

deciding appeal cases within the area and is therefore considered an appropriate basis for determining this application.

Economic and Social Context

- 10.4 The scheme is considered to be in a sustainable location as the site is within close proximity to the services and amenities within Wix village centre to the west, which is located approximately 400m distance.. The village contains the range of services for a village of this size, including a shop, post office, primary school, community hall etc all within a five minute walk. Apart from the extremely good road links onto the A120 and Colchester, there is a reliable bus service available, namely No. 104. Appendix 1 demonstrates that a total of 16 bus journeys occur each working day in each direction, connecting the site with Colchester town centre, railway station with direct service to London Liverpool Street, and Manningtree. This service also provide direct links to the employment opportunities in Harwich and beyond together with access to secondary schools in the Harwich area.
- 10.5 The proposal would contribute economically to the area by supporting existing construction jobs and also increasing the population within the village to help sustain local services and amenities.

Environmental Context

- 10.6 The site previously formed part of a small holding and therefore has limited ecological value. However, the site is surrounded by mature hedgerow and vegetation which will be maintained as part of the development. This existing landscaping and embankment will obscure the view of the proposed dwelling from the north of the site and will therefore help to maintain the character of the area. The development will also be designed to reflect the character of the properties in the area so as to not detract from the existing street scene. In this respect, the proposal has been modelled on the neighbouring property known as Brooklands. Furthermore, the development will result in an enhancement to the site and the immediate area through the removal of the existing mobile homes.
- 10.7 The property would be positioned to the rear of the existing dwelling, but in close proximity. As detailed in paragraph 9.1 above, the siting of the dwelling has resulted

from the careful consideration of the potential flood risks on the land. The dwelling would be located at the southernmost limit of flood zone 1, which otherwise extends across the northern part of the property. It may be suggested that this location would result in a 'backland' form of development. However, this view is not supported based on the Council's criteria for assessing such forms of development while also examining the character of the surrounding area.

- 10.8 In accordance with the terms of policy PEO6, the site is located within a defined settlement development boundary and does not comprise land allocated or safeguarded for purposes other than a residential use. Furthermore, it does not involve existing private garden land or have unsatisfactory access or off-street parking arrangements, cause an unacceptable reduction in existing private amenity space or any other unreasonable loss of amenity to existing dwellings. It will not constitute "tandem" development using a shared access, nor will it comprise an awkwardly shaped or fragmented parcel of land likely to be difficult to develop in isolation or involve development which could prejudice a more appropriate comprehensive development solution. Moreover, having regard to the containment of the site through the Wix bypass, the development will not produce a hard urban edge or other form of development out of character in its particular setting.
- 10.9 Although the development of the site will involve the construction of a dwelling towards the rear of the current linear settlement pattern of the area, the development will be located on a site where there are existing structures and built form already present within and surrounding the site. It would not therefore extend development beyond the current limits of the village in the locality. The site is therefore considered to be a suitable location for development which will not be detrimental to the character and appearance of the surrounding countryside and in fact would lead to an enhancement to the immediate area.
- 10.10 On the basis of the above, the site is therefore considered to be a sustainable location for growth as it performs well against the three tests for sustainability as set out in paragraph 7 of the NPPF.

11.0 Access for People with Disabilities

11.1 Access into and within the dwellings will accord with the requirements of Part M of the relevant Building Regulations and Lifetime Homes design criteria.

12.0 Conclusion

12.1 It is concluded that the proposal will be in accordance with the provisions of the Development Plan Policies and all other material considerations. The resulting design and layout would ensure that the development will respect the character of and relationship to the neighbouring residential properties in the locality while being in accordance with the appearance of the area. The potential flood risks upon the applicant's land have been identified as appropriate measures taken. As such, the proposal would be in accordance with the presumption in favour of sustainable development contained within the NPPF.