

Planning Statement

Outline Application with all Matters
Reserved except Access for the
erection of 5 no. dwellings.

The Old Parsonage, Makins Road,
Parkeston, Harwich Essex
CO12 4QD

Mr B Palmer

August 2023

The logo for pomery, featuring the word "pomery" in a white, lowercase, sans-serif font, set against a solid olive green rectangular background.

PLANNING CONSULTANTS

Introduction

- 1.0 This statement has been prepared by Pomery Planning Consultants Limited on behalf of our client, Mr B Palmer (the applicant). The statement been prepared to explain and support the applicant's proposal to erect 5 dwellings on land at Makins Road, Parkeston.
- 1.1 The application is submitted in Outline with all matters reserved except access.
- 1.2 The application follows a similar proposal which was for 6 dwellings, but was refused in April 2023, application 23/00311/OUT. These latest proposals have had regard to the reasons the previous application met with refusal and the indicative layout amended accordingly.

The Site and Surroundings

- 2.0 The application site extends to approximately 0.1 hectares and is located on the west side of Makin Road at its southern end. The land falls entirely within the settlement boundary and is previously developed, currently containing a dwelling and a collection of outbuildings. To the south of the site are bungalows that are located at the northern tip of Adelaide Street. To the north is a disused church/community building and to the west, beyond mature vegetation situated on the boundary is Station Road that leads to Harwich International Port. The eastern boundary of the site is marked by conifer trees and to the south is a 1.8m high closed boarded fence with several trees..
- 2.1 The application site is within Flood Zone One on the Environment Agency Flood Zone Map, so the lowest risk to flooding, a 1:1000 year risk. The site is not within a Conservation Area nor are there any heritage asset in the vicinity.

The Proposals

- 3.0 Whilst the proposals are in outline, the application includes an indicative site layout, which demonstrate how a scheme of five dwellings could be arranged within the site whilst meeting all necessary development management issues, such as garden sizes, amenity, parking provision and general design.
- 3.1 Vehicular access to the site is to be via the existing access from Makins Road. The public maintained highway in Makins Road terminates a St Pauls Church just to the north of the site. From that point the road is a private road up to the site and beyond, also serving access to the rear of properties in Tyler Street. The section of private road from the public highway to the site is 29 metres in length and beyond the site, the roadway serves some garages to Tyler Street. Within the indicative scheme there is dedicated provision for vehicles to turn in accordance with standards. The indicative layout is illustrated below.



Planning Policy Framework

- 4.0 The development plan in Tendring comprises the Tendring Local Plan 2013 – 2033, which is now fully adopted. Relevant Policies are as follows:-

Part One

SP1 Presumption in Favour of Sustainable Development

SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

SP3 Spatial Strategy for North Essex

SP4 Meeting Housing Needs

SP7 Place Shaping Principles

Part Two

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

PPL1 Development and Flood Risk

PPL4 Biodiversity and Geodiversity

LP3 Housing Density and Standards

LP4 Housing Layout

CP1 Sustainable Transport and Accessibility

- 4.1 National planning policy is contained within the National Planning Policy Framework 2019, (the Framework) which contains the Government's planning policy position for all planning matters and provides advice on how it is to be applied in both plan making and decision taking. Relevant policy within the Framework includes paragraphs 111, and 120.

The Material Planning Considerations

5.0 The previous refusal for 6 no dwellings on this site was refused because the Council were of the view that the site could not accommodate 6 dwellings in a form that could meet design and access requirements. In addition, concerns were raised with regard on the amenity of neighbouring residents.

5.1 In light of the previous refusal, the applicant has revised the proposals reducing the quantum of development from six dwellings to five. In revising the proposal, a new indicative layout has been prepared to illustrate that the site can accommodate five dwellings, whilst meeting all relevant policy requirements.

5.2 The Revised Layout.

The most significant change to the scheme is the reduction of the development from six dwellings to five. Equally significant, is the introduction of a bungalow at the site entrance. This has a number of key benefits, first it provides a visual stop to the view down the private road, and provides the bungalow with a street frontage, which also announces the entrance to the site. Being single storey, the property also allows for the additional housing within the site, to not be overlooked from first floor windows. The remaining site is then able to accommodate two pairs of semi detached dwellings arranged opposite each other creating a more formal shared space between the properties for turning and parking, which unites the two pairs of dwellings, creating its own sense of space.

5.3 Each of the five dwellings is provided with two, 5.5m x 2.9m parking spaces. The minimum private amenity provision is 75sqm, the maximum being 159sqm. These private garden areas are considered to be of a size and configuration commensurate with the size of the dwellings and the character of the location, which is of tight grain of modest dwellings in modest plots. The host dwelling and its garden is an exception to this tighter grain character of the location.

5.4 The appearance of the proposals will of course be a reserved matter, however, there is no reason why the final detailed design could not be characteristic of the location. The indicative proposed layout has undergone considerable revision and consideration, so it is likely to be broadly replicated in the reserved matters submission.

5.5 **Residential Amenity**

In the previous application the Council raised potential impacts on neighbouring residential amenity with respect to the indicative proposal presented at the time. Therefore, the latest indicative proposal has had regard to those concerns and is considered to be capable of ensuring that there is no harm to amenity.

5.6 Areas of concern would be the potential for loss of privacy and outlook. In relation to privacy, the areas of concern would be the relationship between the rear first floor windows of plots 2 & 3 and the properties to the east of Tyler Street. The separation distance between the properties there is some 42m, so, considerably more than the recommended separation of 25m set out in the Essex Design Guide.

5.7 Other areas of privacy concern might be Plot 2, overlooking the garden of plot 1 or plot 3 & 5 side elevations, overlooking the garden of dwellings in Adelaide Street. In this regard there is no reason why the internal floorplan of the proposals could not be arranged to either have no first floor windows on these side elevations or have windows to stairwells or bathrooms which could be obscure glazed.

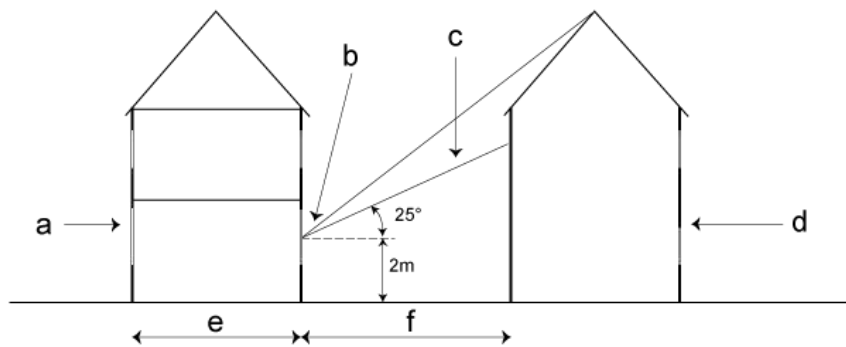
5.8 Another area of concern raised in the light of the previous proposal was the potential loss of outlook from the properties to the south in Adelaide Street. Once again, in preparing these revised indicative proposals the applicant has addressed these concerns. Outlook is mentioned once in the local plan within Criterion e) of Part B of Policy SPL3 which states:

“e. buildings and structures are designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents;”

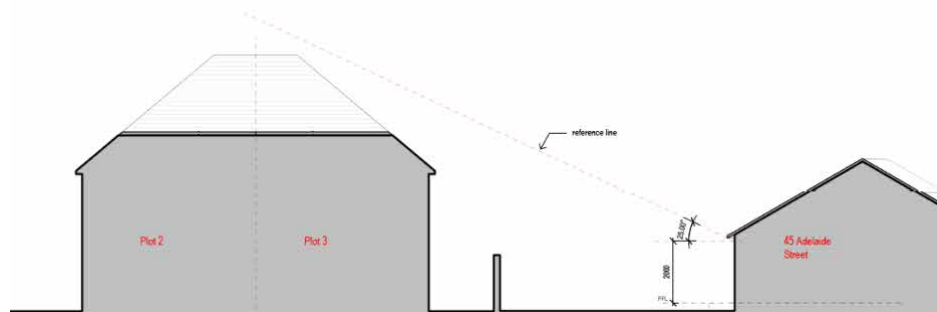
5.9 Outlook is not mentioned within the Essex Design Guide at all. However, the applicant accepts that preserving a reasonable degree of outlook from existing property is a policy requirement, as identified in Policy SLP3 e), where it is written in the context of ensuring adequate daylight and sunlight. In this respect, the Essex Design Guide does provide some guidance, advising that.

“This document suggests that adequate daylight in interiors is achieved at an unobstructed 25° angle from a point 2m above floor-level at the facade. This would result in spacing of at least 10m between opposing house-fronts. In most cases, however, and in order to develop and maintain an attractive townscape, it is desirable for this spacing to be less”.

This is illustrated in the guidance as :



5.10 To some extent assessing outlook is a planning judgement on a case by case basis. In this case the separation is illustrated below.



It can seem that the separation in this case is capable of passing the Essex Design Guide Natural Light Test. The proximity of the indicative proposals

relative to no. 45 Adelaide Street will allow natural light to enter the garden and the rear rooms of the property. Conversely, the outlook from the rear rooms will continue to have a view of the sky and wider outlook will remain possible over the garden of Plot 3. As such, the relationship between properties will not be so overbearing as to result in an unacceptable impact on outlook.

5.11 Access

The previous application attracted objections from the Highway Authority (HA). The HA caveated their response by accepting that the development was on a private road and as such, the HA stated that it would not normally comment. The reason for this is because it is the HA's responsibility to protect the principal use of the public highway. In this case there is no impact or detriment to the public highway or the safety of users of the public highway. However, whilst advising that the HA would not normally comment in such cases, they do comment, raising objections to highway related matters that are not going to take place on the public highway. However, it is acknowledged that as highway engineers, the HA felt the need to point out what they felt could lead to vehicle and pedestrian conflicts. It is also fair to say that in some cases their observations were entirely valid with respect to the earlier indicative proposals. Therefore, in preparing the revised proposals, the indicative layout has been redesigned to take on board the HA's observations. An 8.0m turning square has been incorporated at the site entrance. The continuation of the footway has been extended to the site from Makins Lane and a visibility splay provided at the access, to improve the intervisibility where the site access meets the private drive serving the garages to the south. Finally, a size 3 turning head has been added within the site.

5.12 Paragraph 11 of the framework advises 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”.

5.13 In this case, there is no detriment to the highway safety as the 'highway' does not form part of the application site. It is the applicant's position that vehicular / pedestrian movements within the site will be modest in view of the scale of the proposals. The indicative layout as now improved, will allow the site to function without material harm to highway safety on the public highway or to users of the site, off the public highway.