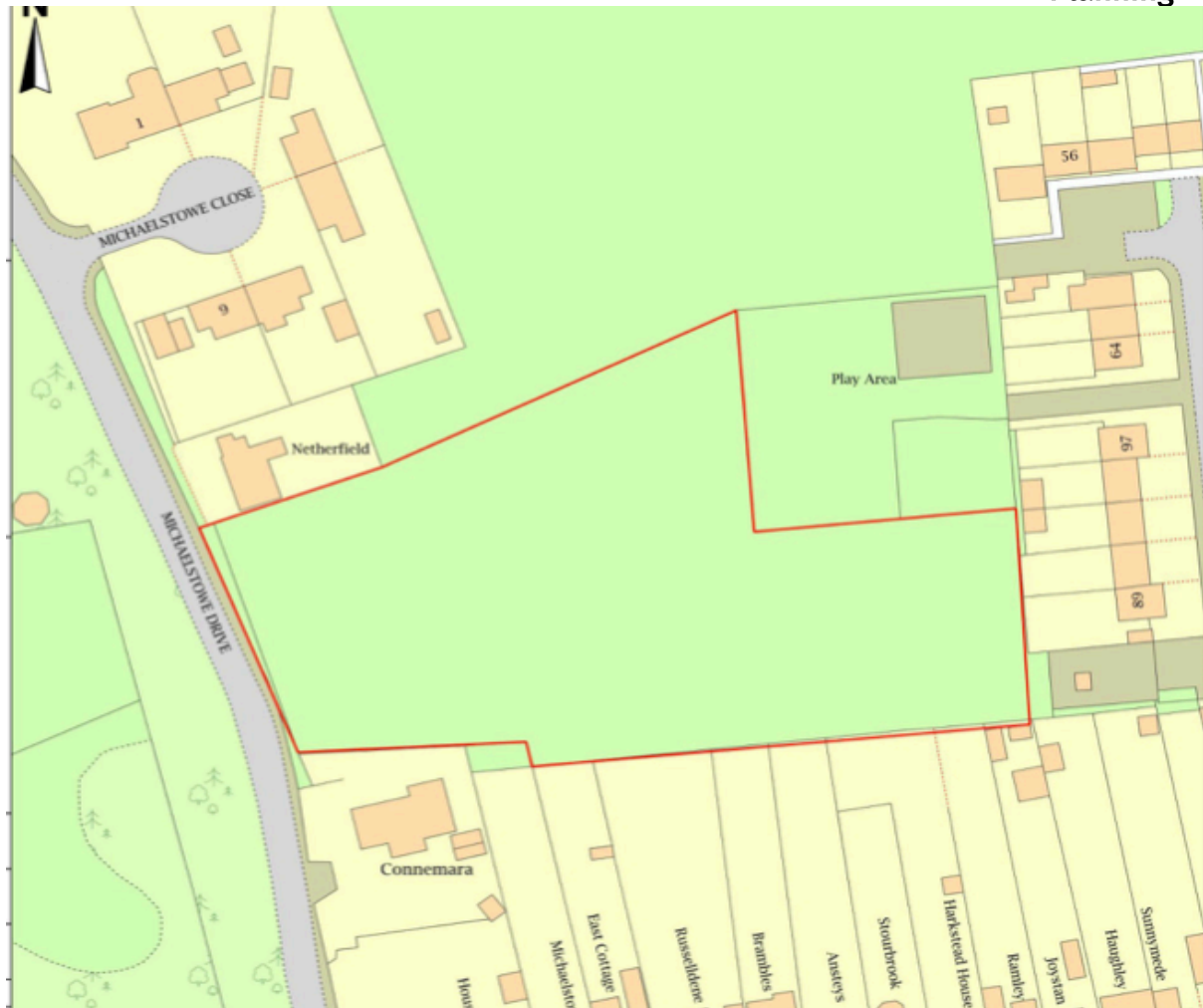




Planning Statement

For residential dwelling land between Connemara and Netherfield,
Michaelstow Drive
Harwich CO12 5ES

Client: Gareth Richardson



Site Information

Consultant Helen Morri-sRuffle

Client Gareth Richardson

Site Address Land off Michaelstowe Drive CO12 5ES

LA Tendring District Council

Description of Development New dwelling

Pathway Pre app/Full Planning

Either Outline or Permission in Principle

Constraints Review

Flood Risk Zone Flood zone 1

Contaminated Land Not known

Tree Preservation Order Not know

Heritage Assets N/A

Noise Abatement Areas N/A

Explosive Hazard Areas N/A

Area of Outstanding Natural Beauty No

Special Protection Area N/A

Site of Special Scientific Interest Yes

RAMSAR Convention Site No

Site of Importance to Nature Conservation Not known

Article 4(2) Directions No

Agricultural Land – Grade 3

Local Policy Requirements

Local Plan/Core Strategy
Tendring District Council Local Plan 2007

Effective Policies in Development Control

QL1 Spatial Strategy
QL9 Design of New Development
QL10 Designing New Development to Meet Functional Needs
QL11 Environmental Impacts and Compatibility of Uses
HG6 Dwelling Size and Type
HG7 Residential Densities
HG9 Private Amenity Space
TR1A Development Affecting Highways
TR7 Vehicle Parking at New Development
EN3 Coastal Protection Belt
EN6 Biodiversity
EN11A Protection of International Sites European Sites and RAMSAR Sites COM6 Provision of Recreational Open Space for New Residential Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SP1 Presumption in Favour of Sustainable Development
SPL1 Managing Growth
SPL3 Sustainable Design
LP1 Housing Supply
LP3 Housing Density and Standards
CP2 Improving the Transport Network
PPL2 Coastal Protection Belt
PPL4 Biodiversity and Geodiversity
HP5 Open Space, Sports & Recreation Facilities
Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice

Supplementary Planning Guidance:



- Parking Standards Design and Good Practice Guide (2009)
- Essex Design Guide (2005)

Tendring District Local Plan 2013-33 and Beyond publication draft 2017 (limited weight)

LP1 Housing Supply
PPL3 The Rural Landscape
PPL4 Bio and Geodiversity
SPL1 Managing Growth
SPL2 Settlement Boundaries

Tendring District's **Local Plan was adopted in 2007** but aspects of this are considered to be out of date and not in accordance with **national planning policy**. Until we formally adopt a new Local Plan, the planning policy situation is complex. Elements of the 2007 adopted Local Plan will remain in force and will be used in determining planning applications, where relevant. However, as the new Local Plan progresses it will begin to have more "weight" in the planning process in deciding planning applications and guiding new development across our District, alongside other 'material considerations', including **national planning policy**. The level of "weight" we can attach to the Adopted 2007 Plan and new Local Plan will vary so if you are thinking of submitting a planning application, you are strongly advised to discuss proposals with us beforehand

Planning History

Pre application 20/30104

Nearby

18/01541/Detail Land adjacent to Roborough Church Hill, for erection of 3 dwellings, Approved 2018

Key issues for consideration:

Principle of the development, highways, landscape, ecology and impact on adjacent occupiers

Site and Surroundings

1.0 The site lies outside the settlement boundary of Harwich and comprises part of an agricultural farm on the western side of Michaelstowe Drive CO12 5ES. There are no buildings on the site but there are dwellings to the north and south those being Netherfield and Connermara.

1.1 A play area interjects into the site at the western boundary.

1.2 The application seeks to erect one Self Build dwelling on land between Connemara and Netherfield, Michaelstow Drive, Harwich.

1.3 Following a positive pre application (2-030104-Pre App Naomi Hart) this submission is in accordance with the recommendation of the Pre-App.

National Planning Policy

2.1 Chapter 2 – Achieving sustainable development states that the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. There are 3 overarching objectives, which are independent and need to be pursued in mutually supportive ways, those being, economic, social and environmental.

2.2 Para 11 states that plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

The presumption in favour of sustainable development

Plans and decisions should apply a presumption in favour of sustainable development. For **plan-making** this means that:

- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

2.3 The NPPF in Chapter 5 paras 59 & 60 – **Delivering a sufficient supply of homes** goes on to say:

59. To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed,

that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

60. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

2.4 Chapter 11 Making effective use of land states:

117. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land⁴⁴.

44 Except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity.

As part of this approach, plans and decisions should support efforts to identify and bring back into residential use empty homes and other buildings, supported by the use of compulsory purchase powers where appropriate.

118. Planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate

opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is
- e) constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
- f) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

119. Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where

necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.

120. Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

a) they should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, de-allocate a site which is undeveloped); and

b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

2.5 Chapter 12 Para 127 of the NPPF Achieving Well Designed Places sets out the way planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

2.6 Paragraph 84 of the NPPF entitled Supporting a Prosperous Rural Economy states:

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

2.7 Chapter 15 paras. 170 -173 – Conserving and enhancing the natural environment states:

170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and

other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

171. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

172. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development⁵⁵ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

173. Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 172), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation.

2.8 Planning for climate change Paragraphs 148 to 154 of the NPPF state:

The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

149. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures⁴⁸. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.

150. New development should be planned for in ways that:

- a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and
- b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

151. To help increase the use and supply of renewable and low carbon energy and heat, plans should:

- a) provide a positive strategy for energy from these sources ,that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);
- b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and
- c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co- locating potential heat customers and suppliers.

48 In line with the objectives and provisions of the Climate Change Act 2008.

152. Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.

153. In determining planning applications, local planning authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

154. When determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.

2.9 Local Policy Requirements

Local Plan/Core Strategy
Tendring District Council Local Plan 2007

Effective Policies in Development Control :

QL1 Spatial Strategy
QL9 Design of New Development
QL10 Designing New Development to Meet Functional Needs
QL11 Environmental Impacts and Compatibility of Uses
HG6 Dwelling Size and Type
HG7 Residential Densities
HG9 Private Amenity Space
TR1A Development Affecting Highways
TR7 Vehicle Parking at New Development
EN3 Coastal Protection Belt
EN6 Biodiversity
EN11A Protection of International Sites European Sites and RAMSAR Sites COM6
Provision of Recreational Open Space for New Residential Development Tendring
District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) SP1
Presumption in Favour of Sustainable Development
SPL1 Managing Growth
SPL3 Sustainable Design
LP1 Housing Supply
LP3 Housing Density and Standards
CP2 Improving the Transport Network
PPL2 Coastal Protection Belt
PPL4 Biodiversity and Geodiversity
HP5 Open Space, Sports & Recreation Facilities
Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice

Tendring District Local Plan 2013-33 and Beyond publication draft 2017 (limited weight)

LP1 Housing Supply
LP7 Self-Build and Custom Built Homes
PPL3 The Rural Landscape
PPL4 Bio and Geodiveristy
SPL1 Managing Growth

SPL2 Settlement Boundaries

2.10 Policy EN1 Landscape Character states:

The quality of the district's landscape and its distinctive local character will be protected and, where possible, enhanced. Any development which would significantly harm landscape character or quality will not be permitted. Development control will seek in particular to conserve the following natural and man-made features which contribute to local distinctiveness:

- a. estuaries and rivers, and the undeveloped coast;
- b. skylines and prominent views, including those of ridge tops and plateau edges;
- c. the settings and character of settlements and of attractive and/or vernacular buildings within the landscape;
- d. historic landscapes and listed parks and gardens, ancient woodlands, and other important woodland, hedgerows and trees;
- e. native species of landscape planting and local building materials; and
- f. the traditional character of protected lanes, other rural lanes, bridleways and footpaths. Where a local landscape is capable of accommodating development, any proposals shall include suitable measures for landscape conservation and enhancement.

2.11 Policy EM2 Local Green Gaps states:

During the Plan period, land within Local Green Gaps, as defined on the Proposals Map, will be kept open, and essentially free of development. This is to prevent the coalescence of settlements, and to protect their rural settings. Minor development proposals may be permitted if they do no harm, individually or collectively, to the purposes of a Local Green Gap or to its open character. These may include the improvement of existing leisure and recreational facilities, and development for agricultural purposes. In Local Green Gaps, where resources and opportunities permit the Council will encourage the improvement of public rights of way.

2.13 Policy HG1 Housing Provision states:

Provision is made for a net dwelling stock increase of 6,250 dwellings in Tendring District in the period 1 April 1996 to 31 March 2011 in accordance with Policy H1 of the Adopted Essex and Southend-on-Sea Replacement Structure Plan. This

provision will be achieved as set out in Tables 1 and 2. Future general housing needs in the Tendring District Local Plan 2007 Period 2004 to 2011 will be met by the development of sites allocated for residential or mixed use development including housing as set out in Appendix 2, and appropriate unidentified sites that meet PPG3 paragraph 31 sustainability criteria and are located within the defined development boundaries of towns and villages. A recycling target of 80% of the Plan's provision between 2004 and 2011 is proposed on previously developed land.

2.14 Policy QL1 Spatial Strategy states:

The spatial strategy for Tendring to 2011 follows established national and regional principles for sustainable development.

a. Most new development will therefore be concentrated at the larger urban areas of Clacton and Harwich, where accessibility to employment, shops, and other facilities and services is maximised, and there is a choice of means of transport. These towns also contain the largest supply of previously developed land, for use in general preference to greenfield sites.

2. In the smaller towns and villages, limited development consistent with local community needs will be permitted.
3. Development will be concentrated within the following settlement development boundaries, as defined on the proposals maps.

Outside these, and other specific land allocations in this Plan, only development which is consistent with countryside policies will be permitted.

TOWNS Clacton Harwich Frinton/Walton

2.15 Policy QL9 Design of New Development states:

All new development should make a positive contribution to the quality of the local environment and protect or enhance local character. Planning permission will only be granted if the following criteria are met:

- i. new buildings, alterations and structures are well designed and should maintain or enhance local character and distinctiveness;

- ii. the development relates well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials;
- iii. the development respects or enhances views, skylines, landmarks, existing street patterns, open spaces and other locally important features;
- iv. the design and layout of the development incorporates important existing site features of landscape, ecological or amenity value such as trees, hedges, water features, buffer zones, walls and buildings (as well as opportunities to enhance such features e.g. habitat creation); and
- v. boundary treatments and hard and soft landscaping are designed as an integral part of the development reflecting the function and character of the development and its surroundings.

In the case of large, complex or sensitive sites, applications for planning permission must be accompanied by a Design Statement.

2.16 Policy QL10 Designing New Development to meet functional needs states:

All new development should meet functional requirements. Planning permission will only be granted if the following criteria are met, or can be shown not to apply to the proposed development:

- i. access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate;
- ii. circulation within the site and convenience of access to the development reflects the hierarchy of transport users set out in Policy QL2;
- iii. the design and layout of the development maintains and/or provides safe and convenient access for people with mobility impairments;

- iv. the development contributes to community safety by incorporating or providing measures to minimise opportunities for crime and anti-social behaviour;
- v. buildings and structures are orientated to ensure adequate daylight, outlook and privacy;
- vi. provision is made for functional needs including private amenity space, waste storage, separation and recycling facilities, servicing, vehicle and cycle parking; and
- vii. the site will be served by utility services and other infrastructure necessary for the development proposed.

Any measures necessary to meet the above requirements are to be established by the applicant/developer.

2.17 Policy Q11 Environmental Impacts and Compatible uses state:

All new development should be compatible with surrounding land uses and minimise any adverse environmental impacts. Development will only be permitted if the following criteria are met:

- i. the scale and nature of the development is appropriate to the locality;
- ii. the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties;
- iii. the development will not lead to material loss or damage to important environmental assets such as buildings of architectural interest, the historic

- environment, water courses, important archaeological sites and monuments and areas of conservation, recreation, ecological or landscape value;
- iv. the development, including any additional road traffic arising, will not have a materially damaging impact on air, land, water (including ground water), amenity, health or safety through noise, smell, dust, light, heat, vibration, fumes or other forms of pollution or nuisance; and
 - v. the health, safety or amenity of any occupants or users of the proposed development will not be materially harmed by any pollution from an existing or committed use.

Where appropriate, compensatory and/or mitigation measures will be required to resolve or limit environmental impacts.

2.18 Policy HG6 Dwelling Size and Type.

To reflect the identified needs of the local community and to create diversity in design terms, an appropriate mix of dwelling sizes and type will be sought in housing developments of 10 or more dwellings or residential sites of 0.3 hectare or more, taking into account local circumstances and site characteristics.

Without prejudice to the requirement for affordable housing, developments with a uniform dwelling mix may be appropriate for sheltered or supported housing. Diversity will also be sought in smaller schemes if it can be achieved without detriment to the character of the surrounding area.

2.19 Policy HG7 Residential Densities:

New housing development which accords with other policies in the Plan will normally be expected to achieve a minimum density of 30 dwellings per hectare (net). Lower densities will not normally be permitted, and will need special justification in terms of the character of the local environment. In towns and villages, densities generally should fall within the range of 30-50 d.p.h. In town centres and other locations with good public transport accessibility, higher densities should be achieved, and in all cases they will be considered where appropriate. All proposals should be so designed as to incorporate suitable outdoor amenity space, and to have no unduly adverse impact on the character of an area, or on neighbours' residential amenity.

2.20 Policy HG9 Private Amenity Space:

Private amenity space shall be provided to new dwellings in accordance with the following standards: For houses:

three or more bedroom house - a minimum of 100 square metres;

two bedroom house - a minimum of 75 square metres;

The standards above are in addition to land required for recreational open space by Policy COM6. Permitted development rights for extensions and outbuildings to new dwellings will be withdrawn where such would have the potential to cause a significant adverse impact on visual and neighbours amenity.

2.21 Policy TR1a Development Affecting Highways states:

Proposals for development affecting highways will be considered in relation to the road hierarchy to reducing and preventing hazards and inconvenience to traffic and to the effects on the transport system including the physical and environmental capacity to accommodate the traffic generated.

2.22 Policy TR7 Vehicle parking at New Development states:

For residential development within town centres and for all non-residential development, the adopted car parking standards will be applied. Outside town centres, variations to the adopted standards for residential development will be considered where local circumstances suggest this to be appropriate. In addition, new development should provide adequate powered two wheeler parking facilities and safe, convenient and usable car parking for people with mobility impairments.

It is important to note that in Chapter 9 of the Tendring District Local Plan 2007 it states the following in regard to key issues in Harwich, Dovercourt, Ramsey and Little Oakley:

1. The identification of appropriate settlement boundaries, including new locations for housing.
2. Ensuring sufficient land is available for the needs of industry and commerce, including stimulating local employment and economic activity in association with the proposed Bathside Bay development.

3. Recognising the value of environmental assets in promoting the economic regeneration of the area. Protecting and enhancing the Harwich and Dovercourt Conservation Areas.
4. Improving the quality and range of the area's main tourist attractions. Improving open space provision, opportunities for recreation and community facilities.
5. Upgrading, safeguarding and improving the area's main shopping areas, especially Dovercourt Town Centre, including a new location for the market.
6. Transport, including enhancement of the area's two main railway stations and addressing traffic, parking and pedestrian issues generally.

Location of New Development

9. 2 As one of the two main settlements in the District, Harwich has been identified as a focal point for growth in the District. Concentrating development within Harwich represents a sustainable choice whereby residents have the potential for access to all essential services including employment opportunities without relying solely on the use of the car. The Settlement Development Boundaries for the Harwich, Dovercourt, Parkeston, Ramsey and Little Oakley urban area to which policies QL1 and HG3 apply reflect the built-up area of the defined settlements. They include peripheral industrial and commercial areas, both existing and new allocations.

9. 3 In accordance with district-wide policies in the Plan, including the principles of sustainable development, new development will predominantly be contained within the Settlement Development Boundaries or on edge-of-town locations

2.23 Policy EN3 Coastal Protection Belt

New development which does not have a compelling functional need to be located in the Coastal Protection Belt, as defined on the Proposals Map, will not be permitted. The onus will be on the applicant to prove such a need, by showing that by reason of its critical operational requirements the development cannot be located outside the Coastal Protection Belt. Even where a compelling functional need is demonstrated, the development should not significantly harm the landscape character and quality of the undeveloped coastline

2.24 Policy EN6 Biodiversity

Development proposals will not be granted planning permission unless the existing local biodiversity and geodiversity is protected and enhanced.

In exceptional circumstances, where the planning benefits are considered to outweigh the protection or enhancement of local biodiversity and geodiversity, appropriate compensating measures to outweigh the harm caused by the development must be provided.

Where appropriate, conditions or planning obligations will be sought to protect the biodiversity interest of the site and to provide appropriate compensatory or mitigation measures and long term site management, as necessary.

2.25 Policy EN11A Protection of International Sites European Sites and RAMSAR sites.

Development, which may affect a European Site, a proposed European Site or a Ramsar site, will be subject to the most rigorous examination. Development that is not directly connected with or necessary to the management of the site for nature conservation, which is likely to have significant effects on the site (either individually or in combination with other plans or projects) and where it cannot be ascertained that the proposed would not adversely affect the integrity of the site, will not be permitted unless:

- i. There is no alternative solution;
 - ii. There are imperative reasons of over-riding public interest for the development;
- and
- iii. And in the event that (i) and (ii) above are met, an appropriate compensatory habitat is provided.

Where the site concerned hosts a priority natural habitat type and/or a priority species, development or land use changes will not be permitted unless the Council is satisfied that it is necessary for reasons of human health or public safety or for beneficial consequences of primary importance for nature conservation.

2.26 Policy COM6 Provision of Recreational Open Space for New Residential Development.

Proposals for residential development on a site of 1.5 hectares and above are required to provide at least 10% of the gross site area as public open space. In

exceptional cases where the District Council agrees that provision would be best met off-site and where existing open space facilities are inadequate to meet the projected needs of the future occupiers of the development a financial contribution in lieu of on-site provision may be made. This must include appropriate equipment, suitably laid out for the specific use intended, which has been agreed in advance with the District Council. The nature of the public open space will be expected to be:

- usable open space in terms of its location, size and shape, with no single area being less than 0.15 hectares;
- planned for in a positive way, that integrates the open space in the development that it serves; landscaped in a way that provides for visual amenity, biodiversity gain, and areas of shade;
- designed with the safety and security of children in mind, including traffic calming of the access to the open space where this involves crossing a road; and
- a range of different types of play areas in the larger sites, to cater for different user groups in accordance with the hierarchy of provision outlined by the National Playing Field Association.

For residential development below 1.5 hectares in size, where existing open space facilities are inadequate to meet the projected needs of the future occupiers of the development, a financial contribution shall be made to the provision of new or improved off-site facilities in scale and kind to meet these needs.

Draft Tendring District Local Plan, 2013-2033 and Beyond

2.27 Policy SP1 Presumption in Favour of Sustainable Development

When considering development proposals the Local Planning Authorities will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. They will always 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.

Sustainable development in North Essex will demonstrably contribute to the strategic and local vision and objectives and will accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans). Development that complies with the Plan in this regard will be approved without delay, unless material considerations indicate otherwise.

2.28 Policy SPL1 Managing Growth

Strategic Urban Settlements:

Clacton-on-Sea (comprising, Central Clacton, Jaywick Sands, West Clacton, Great Clacton (North), East Clacton and Holland-on-Sea)

Harwich and Dovercourt (including Parkeston and part of Ramsey)

2.29 Policy SPL3 Sustainable Design

Part A: Design. All new development (including changes of use) should make a positive contribution to the quality of the local environment and protect or enhance local character. The following criteria must be met:

- a. new buildings, alterations and structures are well designed and maintain or enhance local character and distinctiveness;
- b. the development relates well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials;
- c. the development respects or enhances views, skylines, landmarks, existing street patterns, open spaces and other locally important features;
- d. the design and layout of the development maintains or enhances important existing site features of landscape, ecological, heritage or amenity value;
- e. boundary treatments and hard and soft landscaping are designed as an integral part of the development reflecting the function and character of the development and its surroundings. The Council will encourage the use of locally distinctive materials in boundary treatments.

Part B: Practical Requirements. New development (including changes of use) must meet practical requirements. The following criteria must be met:

- a. access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate and not lead to an unacceptable increase in congestion;
- b. the design and layout of the development maintains and/or provides safe and convenient access for people with mobility impairments*;

- c. the development incorporates or provides measures to minimise opportunities for crime and anti-social behaviour;
- d. the applicant/developer can demonstrate how the proposal will minimise the production of greenhouse gases and impact on climate change as per the current regulations and policies in this plan;
- e. buildings and structures are designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents;
- f. provision is made for private amenity space, waste storage, separation and recycling facilities, vehicle and cycle parking; and
- g. the development reduces flood risk and opportunities are taken to integrate sustainable drainage within the development, creating amenity and enhancing biodiversity.

* On housing developments of 10 or more dwellings, 10% of market housing should be to Building Regulations Part M (4) 2 'adaptable and accessible' standard. For affordable homes, 10% should be to Building Regulations Part M (4) 2 and 5% should be to Part M (4) 3 'wheelchair-user' standards (Ref. Tendring District Housing Viability Assessment 12 May 2017).

Part C: Impacts and Compatibility. New development (including changes of use) should be compatible with surrounding uses and minimise any adverse environmental impacts. The following criteria must be met:

- a. the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties;

b. the development, including any additional road traffic arising, will not have unacceptable levels of pollution on: air, land, water (including ground water), amenity, health or safety through noise, smell, dust, light, heat, vibration, fumes or other forms of pollution or nuisance;

2.30 Policy LP1 Housing Supply

The Council will work with the development industry and other partners to deliver a minimum new homes increase of 11,000 (net) between 1 April 2013 and 31 March 2033 to support economic growth and meet objectively assessed requirements for future housing in the District. This supply of new homes will be delivered from the following sources:

c. the health, safety or amenity of any occupants or users of the proposed development will not be materially harmed by any pollution from an existing or committed use; and

d. all new development should have regard to the most up to date adopted Essex Mineral Local Plan.

The development has considered climate change adaptation measures and technology from the outset including reduction of emissions, renewable and low carbon, passive design, and through green infrastructure techniques where appropriate.

When considering new development, applicants and developers should avoid adverse impacts upon the environment. Where this is not possible, mitigation

measures should be put forward. As a last resort, compensate for adverse environmental impacts.

Any measures necessary to meet the above requirements are to be established by the applicant/developer.

2.31 Policy LP3 Housing Density and Standards

New residential and mixed-use development (including conversions and changes of use) must achieve an appropriate housing density that has regard to the following factors:

- a. accessibility to local services;
- b. national minimum internal floor-space standards;
- c. the required mix of housing;
- d. the character of development (and where appropriate enhance that character) in the immediate area;
- e. for the edge of greenfield sites, the need for an appropriate transition between built development and the open countryside; and
- f. on-site infrastructure requirements that will need to be incorporated into the layout of the development (including green infrastructure, highways and footpaths built to adoptable standards and any community facilities).

2.32 Policy LP4 Housing Layout

HOUSING LAYOUT

To ensure a positive contribution towards the District's 'sense of place', the design and layout of new residential and mixed-use developments in the Tendring District will be expected to:

- a) promote health and wellbeing by incorporating and maximising the use of green infrastructure, verges, trees and other vegetation. Proposals for residential development on sites of 1.5 hectares and above are required to provide at least 10% of the gross site area as public, open space (unless there are more specific open space requirements set out in policies relating to the site in question);
- b. minimise the opportunities for crime and anti-social behaviour by ensuring good surveillance, clear definition between public and private spaces and convenient access for emergency services;
- c. ensure internal road layouts can safely and comfortably accommodate emergency services, waste collection services, buses (where necessary) and other large vehicles;
- d. minimise the need for and reduce the resulting visual and safety implications of on-street parking by ensuring dwellings have sufficient off-street parking space to accommodate the likely number of vehicles;
- e. aside from town centres respect the character of Tendring District by delivering housing development at densities more in keeping with the semi-rural nature of parts of the District;

f. respect the historical and settlement hierarchy character of Tendring District by delivering housing development at densities in keeping with the urban nature of parts of the District including the town centres;

g. ensure dwellings meet minimum standards of internal space; and

h. meet all other requirements of the Local Plan.

To ensure new developments meet these requirements and other requirements of policies in this Local Plan, the Council will sometimes work with landowners, developers and other partners, particularly on larger schemes, to prepare master plans or development briefs prior to the submission of planning applications.

In determining planning applications, the Council will also refer to the guidance provided in the Essex Design Guide for Residential & Mixed-Use Developments, 'Building for Life' and the 'Manual for Streets' and as superseded.

This Policy contributes towards achieving Objectives 1, 5 and 6 of this Local Plan.

2.33 Policy CP2 Improving the Transport Network

Proposals for new development which contribute to the provision of a safe and efficient transport network that offers a range of sustainable transport choices will be supported. Major development proposals should include measures to prioritise cycle and pedestrian movements, including access to public transport.

2.34 Policy PPL2 Coastal Protection Belt

Within the Coastal Protection Belt, as shown on the Policies Maps and Local Maps, the Council will:

- a. protect the open character of the undeveloped coastline and refuse planning permission for development which does not have a compelling functional or operational requirement to be located there; and
- b. where development does have a compelling functional or operational requirement to be there, its design should respond appropriately to the landscape and historic character of its context and applicants will be required to demonstrate that any development proposals will be safe over their planned lifetime.

The Council will take an 'adaptive approach' to coastal protection, where required, having regard to an assessment of the impact of coastal change and consideration of any applicable Shoreline Management Plan.

2.35 Policy PPL4 Biodiversity and Geodiversity

Sites designated for their international, European and national importance to nature conservation: including Ramsar sites; Special Protection Areas (SPAs); Special Areas of Conservation (SACs); Marine Conservation Zones (MCZs); National Nature Reserves (NNRs); and Sites of Special Scientific Interest (SSSIs) will be protected from development likely to have an adverse effect on their integrity. As a minimum, there should be no significant impacts upon any protected species, including European Protected Species and schemes should consider (and include provision, as may be relevant for) the preservation, restoration or re-creation of priority habitats, ecological networks and the protection and recovery of protected species

populations. Proposals for new development should also have regard to any published local Recreational Disturbance Avoidance and Mitigation Strategies and include any measures which may be necessary to support the aims of the strategy, to help to mitigate any likely recreational impacts arising from the development. Proposals for enhancement of special interest and features will be supported, subject to other material planning considerations.

Sites designated for their local importance to nature conservation, including Local Wildlife Sites (LoWS), Ancient Woodlands Protected Verges and aged or veteran trees will be protected from development likely to have an adverse impact on such sites or features. Proposals for enhancement of special interest and features will be supported, subject to other material planning considerations.

Proposals for new development should be supported by an appropriate ecological assessment. Where new development would harm biodiversity or geodiversity, planning permission will only be granted in exceptional circumstances, where the benefits of the development demonstrably outweigh the harm caused and where adequate mitigation or, as a last resort, compensation measures are included, to ensure no net loss, and preferably a net gain, in biodiversity.

Proposals for new infrastructure and major development should consider the potential for enhanced biodiversity, appropriate to the site and its location, including, where appropriate, within Green Infrastructure.

Any proposed development on sites which may support protected species will require a relevant survey(s), undertaken by a suitably qualified ecologist. If protected species are present, a suitable mitigation plan will be required prior to planning permission being granted.

This Policy contributes towards achieving Objective 8 of this Local Plan.

The site in question is low grade 3 agricultural land.

2.36 Policy HP5 Open Space, Sports & Recreation Facilities

The standards in the table below will be used to ensure the provision of adequate levels of open space for all local communities. This will be used to ensure adequate levels of provision for each type of open space, based on existing and future needs. These standards will be reviewed if new local evidence on open space becomes available.

In line with the Council's Open Spaces Strategy, the Council will aim to achieve the following open space standards in the District, including providing accessible natural greenspace in accordance with Natural England's Accessible Natural Greenspace Standards unless updated local standards have been adopted.

2.37 Parking Standards Design and Good Practice Guide 2009.

Residential Parking Design

3.4.1 When planning residential parking, consideration of the type and scale of the development should be taken into account. Safe and secure parking can be achieved where cars can be seen by owners and neighbours. Layouts must accommodate the safe passage of emergency, delivery and refuse collection vehicles.

In-curtilage

3.4.13 Where housing densities are lower, space for car parking can be provided “on plot”, within the curtilage of the dwelling, such as in the form of a garage, car port, cart lodge, parking bay or private drive. Ideally dwellings/premises should be accessed from the front, although side and rear access can be appropriate in some circumstances (e.g. compact terraces). Quality urban design dictates that care should be taken that this does not result in streets dominated by parking spaces in front of dwellings, or by building facades with large expanses of garage doors.

Garage Provision and Size

It is recognised that despite being an important design feature of residential developments, garages are being used for other purposes, such as general storage. It is acknowledged that storage space is important, particularly as many properties do not have much storage space within the dwelling itself. Garages need to be large enough to accommodate a modern, family sized car and some storage.

Parking Standards for Use Class C3:

Dwellinghouses

Family houses, or house occupied by up to six residents living together as a single household, including a household where care is provided for residents.

Trip Origin

Dwellings are predominantly travel origins as opposed to destinations. Previously parking standards have attempted to reduce car use

by restricting parking spaces at origin and destinations. It is now recognised that providing a reduced number of parking spaces at a travel origin does not discourage people from owning a car. Therefore parking standards for origins should be used as a minimum standard. For travel destinations the standard will continue to be a maximum.

Standard:

Flats and Houses are to be treated the same.

| Use | Vehicle | Cycle | PTW | Disabled |
|---|------------------------|---|--|---|
| | Minimum | Minimum | Minimum | Minimum |
| 1 bedroom | 1 space per dwelling* | 1 secure covered space per dwelling. None if garage or secure area is provided within curtilage of dwelling | N/A | N/A if parking is in curtilage of dwelling, otherwise as Visitor/ unallocated |
| 2+ bedroom | 2 spaces per dwelling* | | | |
| Retirement developments (e.g. warden assisted independent living accommodation) | 1 space per dwelling | 1 space per 8 units (visitors) | 2 PTW spaces and 1 space per 2 dwellings for mobility scooters | N/A if parking is in curtilage of dwelling, otherwise as Visitor/ unallocated |

| Use | Vehicle | Cycle | PTW | Disabled |
|-------------------------|---|--|---|---|
| | Minimum | Minimum | Minimum | Minimum |
| Visitor/ unallocated | 0.25 spaces per dwelling (unallocated) (rounded up to nearest whole number) | If no garage or secure area is provided within curtilage of dwelling then 1 covered and secure space per dwelling in a communal area for residents plus 1 space per 8 dwellings for visitors | 1 space, + 1 per 20 car spaces (for 1 st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces) | 200 vehicle bays or less = 3 bays or 6% of total capacity, whichever is greater, Over 200 vehicle bays = 4 bays plus 4% of total capacity |

* Excluding garage if less than 7m x 3m internal dimension

3.0 Material Considerations

Principle of Development (Extracts from the Pre application response for 20/30104-PRE APP).

3.1 The site lies outside the settlement boundary. as defined within both the adopted Tendring District Local Plan (2007) and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017). Saved Tendring District Local Plan (2007) Policy QL1 sets out that development should be focussed towards the larger

urban areas and to within development boundaries as defined within the Local Plan.

These sentiments are carried forward in emerging Policy SPL1 of the Publication Draft.

The National Planning Policy Framework 2019 (NPPF) requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this report, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination in Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

Whilst it is recognised that there would be conflict with Saved Policy QL1 and Emerging Policy SPL1 in terms of the site being sited outside the settlement development boundary, as stated above, in the context of the 5 year housing land supply paragraph 11 d) of the NPPF requires applications for housing development to be assessed on their merits, whether sites are allocated for development in the Local Plan or not and it is important to consider whether any circumstances outweigh this conflict.

Assessment of Sustainable Development

While the NPPF advocates a plan-led approach, it is important to consider whether any circumstances outweigh the conflict. Development should be plan led unless material considerations indicate otherwise and it is accepted that the site is not in a preferred location for growth.

In line with Paragraph 8 of the National Planning Policy Framework (2018), achieving sustainable development means meeting an economic objective, a social objective and an environmental objective. These are assessed below.

- economic;
- social, and;
- environmental roles.

The sustainability of the application site is therefore of particular importance. In assessing sustainability, it is not necessary for the applicant to show why the proposed development could not be located within the development boundary.

- Economic

It is considered that the proposal would contribute economically to the area, for example by providing employment during the construction of the properties and from future occupants utilising local services, and so meets the economic arm of sustainable development.

3.2 There have been previous applications granted consent within the locality, which set the precedence. In particular is Application 17/01556/OUT for 3 dwellings on land adjacent to Roborough Church Hill, Ramsey, Harwich approved Nov 2017 and the subsequent reserved matters 18/00871/Detail approved July 2018.

3.3 Whilst in part the success of this application was based on the lack of housing figures (which now has been addressed and Tendring now has met it's housing provision target, the secondary argument which assisted this application was the

3.4 Social

Emerging Policy SPL1 of the Publication Draft of the Local Plan 2017 includes a 'settlement hierarchy' aimed at categorising the district's towns and villages and providing a framework for directing development toward the most sustainable locations therefore being in line with the aims of the aforementioned paragraph 17 of the NPPF. This is the emerging policy equivalent to Saved Policy QL1 of the adopted Tendring District Local Plan 2007 which states that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan.

Harwich is identified as a Town within saved Policy QL1 of the adopted Tendring District Local Plan 2007 and is defined as a Strategic Urban Settlement within Policy SPL1 of the emerging Tendring District Local Plan Publication Draft (2017).

To the front of the application site is a public footpath that leads into Dovercourt and Harwich providing pedestrians with access to nearby shops/services in those urban areas. Furthermore, in close proximity is a bus stop and the local school is within walking distance. The application site is considered to be in a sustainable location as identified within recent decisions of the Council for sites in the immediate locality having regard to the relatively good access to local services and facilities.

For these reasons, the site is concluded to perform well against the social strand of sustainability.

3.5 Environmental

The environmental role is about contributing to protecting and enhancing the natural and built environment which is considered below under the heading Layout, Scale and Impact.

3.6 Layout, Scale and Impact.

Paragraph 8 of the National Planning Policy Framework 2019 (NPPF) sets out the overarching objectives for achieving sustainable development, one being the environmental objective which requires the planning system to contribute to protecting and enhancing our natural, built and historic environment. Furthermore, Paragraph 127 of the NPPF requires that development should respond to local character and history, and reflect the identity of local surroundings. It goes on to say

that local distinctiveness should be promoted and reinforced. Saved Policy QL9 and EN1 of the Tendring District Local Plan (2007) and Policy SPL3 and PPL3 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) seeks to ensure that development is appropriate in its locality and does not harm the appearance of the landscape. Outside development boundaries, the Local Plan seeks to conserve and enhance the countryside for its own sake by not allowing new housing unless it is consistent with countryside policies.

To the south of the application site is a single storey dwelling and to the north of the application site is a two storey dwelling. There are a mixture of dwelling types along Michaelstowe Road and the proposed one and half storey is considered to be acceptable in this location.

3.7 Trees and Landscaping

The main body of the application site is set to grass and does not contain any trees or other significant vegetation. The boundary with Michealstowe drive is demarcated by a scrubby hedgerow comprise primarily of Hawthorn and Elm regrowth that has arisen from the roots of old trees that have died as a result of Dutch Elm Disease. There are 4 Sycamore on the boundary that make a pleasant contribution to the appearance of the area although their shape, form and amenity value is such that they do not merit protection by means of a tree preservation order.

It appears that access to the site can be gained with the need for the extensive removal of boundary vegetation.

3.8 Highway Safety and Parking Provision

The proposal complies with the Highway Safety and Parking provision as contained with the Parking Standards Design and Good Practice Guide (2009) and the Essex Design Guide 2005.

3.9 Residential Amenities

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

It is considered that due to the distance to the neighbouring dwellings, the proposal will not cause any significant impact upon neighbouring amenities.

3.10 The Applicant agrees to a Unilateral Undertaking in respect of both Open Space and RAM's.

3.11 It should be noted that the policies of the Local Plan 2007 are outdated and the fact that the new local plan has not been adopted, along with the inability to meet their Housing Target Figures leaves Tendring in 'Presumption' mode where the 'Tilted Balance' has to be a material consideration.

The '**tilted balance**' principle makes a presumption towards **planning** permission being granted unless there are “adverse impacts which would significantly and demonstrably outweigh its benefits which there clearly aren't in this proposal.

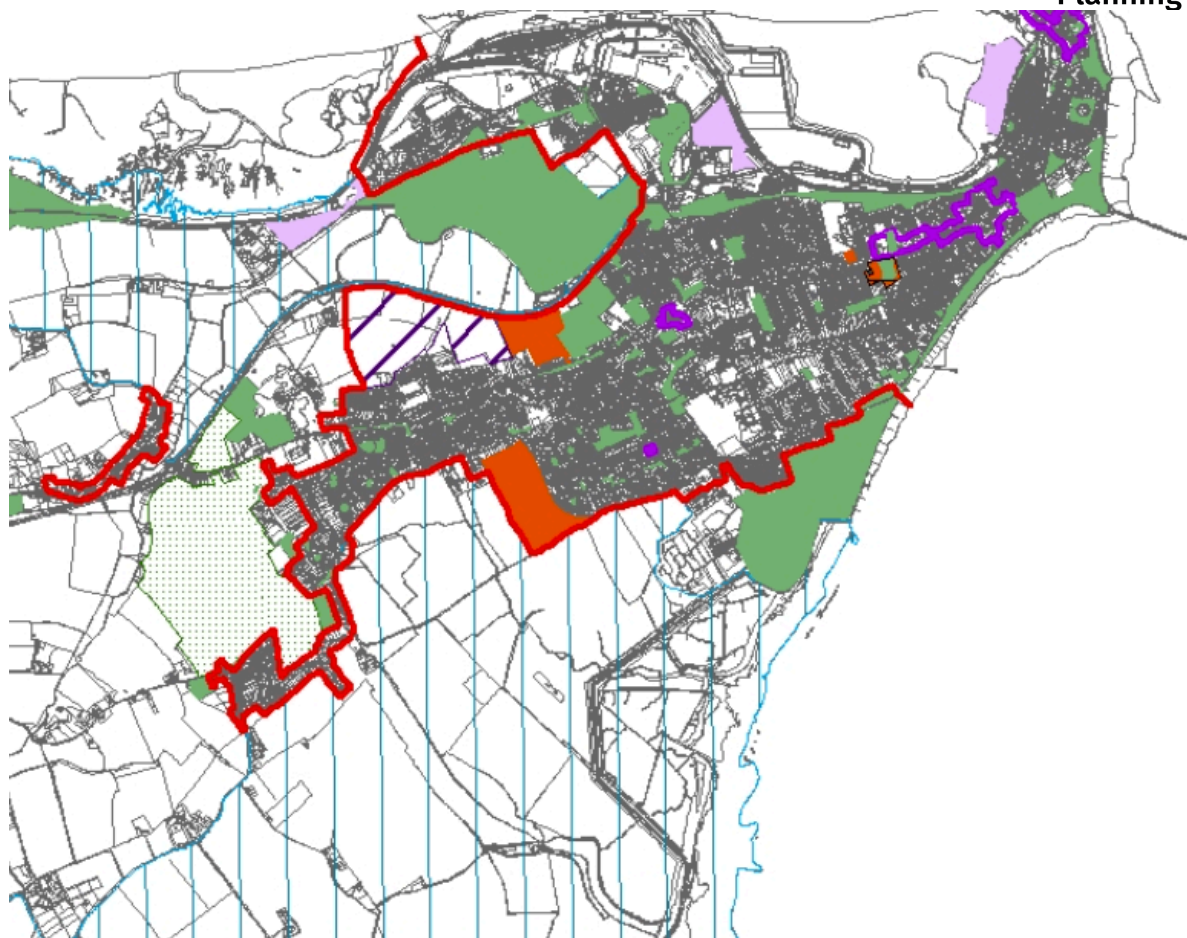
Paragraph 11 of the NPPF (2018) and the tilted balance states that the Tilted Balance is applied where:

- Local authorities inability to demonstrate a 5 year housing supply is to be treated in the same way as out of date policies.
- The tilted balance is always a material consideration if relevant and should be applied irrespective of whether it is expressly raised or not.

The Tilted Balance applies in respect of this proposal.

3.12 The application is for a Self Build dwelling, the Applicant is registered on the LPA Self Build Register.

3.13 The site is in a sustainable location having approximately a 4 minute walk to the nearest bus stop, 12 minutes walk to Tesco express, and 12 mins to the nearest school.



| Key | |
|---|---------------------------------------|
|  | Settlement Development Boundaries (1) |
|  | Village and Neighbourhood Centres |
|  | Mixed Use Allocations (1) |
|  | Mixed Use with Consent |
|  | Employment Sites (1) |
|  | Housing Allocations (1) |
|  | Area to comply with Policy HP4 |
|  | Coastal Protection Belt |
|  | Strategic Green Gaps |
|  | Safeguarded Local Green Spaces |

3.14 The proposal seeks consent for an eco-friendly dwelling of a one and half storeys with external cladding in natural materials to assimilate into the area quickly. It will be clad in natural materials and will be as carbon neutral as possible.

The dwelling will incorporate :

- Pv system to maximise solar gain.
- Ground source heat pump
- ICF based formwork to maximise efficiency and airtightness of the dwelling
- The remainder of the plot outside the residential curtilage but within the ownership of the Applicant will be left and as wildflower/natural wild meadow as recommended by the Ecologist.
-

3.15 The application is for a Self Build and the Applicant is registered on the Self Build Register. Whilst the Tendring District Local Plan 2007 makes no reference to Self Build, Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) now has Policy LP7 Self Build and Custom Built Homes which states:

The Council will encourage the provision of opportunities for constructing Self-Build and Custom-Built Homes as part of the mix of housing on large residential developments and the one-for-one replacement of an existing dwelling, of any size, in the countryside outside of settlement development boundaries with a single unit of

Self-Build Housing, unless the impacts of development would conflict with other policy requirements in this Local Plan.

The Council will also consider, on their merits, proposals for Self-Build and Custom-Built Homes on land outside of settlement development boundaries, not involving the replacement of an existing dwelling, where they will still support a sustainable pattern of growth in the District. Such developments must either:

a. be located on a site safely accessible on foot within 600 metres of the edge of the settlement development boundary of one of the District's 'strategic urban settlements', 'smaller urban settlements' .

b. be located on a site safely accessible on foot within 400 metres of the edge of the settlement development boundary of one of the District's 'rural service centres'; or

c. involve the redevelopment of vacant or redundant previously developed land that can be shown, with evidence, to be unviable for employment use.

This proposal accords with Policy LP7.

3.15 The residential curtilage corresponds to that of the other dwellings on Michaelstowe Drive.

3.16 The proposal is considered to be infill on low grade agricultural land. The shape of the field makes it very difficult to use effectively in farming and it is used only on a very intermittent basis.

3.17 The Applicant works alongside his Father on the farm and his Parents are nearing retirement. The Applicant will soon take over the day to day operations of running the farm and needs to be close at hand to do this effectively.

3.18 At the heart of The National Planning Policy Framework is the presumption in favour of sustainable development. The framework 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'. The issues concerning the Council's ability use of an outdated Local Plan are detailed above.

4.7 The land is not subject to any designation constraints such as AONB, or Greenbelt.

4.8 Given the positive Pre application response and the Self Build nature it is considered that this application should be approved.

4.9 It is important to note that the siting of the dwelling is such to accommodate for the easement and drainage channel running through the plot as shown on the submitted plan. The dwelling has been located to the northern side of the easement as opposed to the southern side. When plotted

out the northern siting creates a less cramped form of development from the public realm whereas when sited to the southern side of the easement it appeared cramped.

4.10 The Applicant is willing to enter into a legal agreement (Unilateral Undertaking) to provide the requisite Open Space contribution and the RAM's Contribution.

4.11 The Applicant is registered on the Self Build Register and this dwelling will be a self build and will be compliant with the self-build regulations. The fact that it is a self build is also a material consideration.

4.12 The development presents an opportunity to implement enhancement measures such as new planting and habitat boxes for roosting bats and nesting birds, which will increase the wildlife value of the site post-development. These measures will also ensure compliance with the requirement for measurable "biodiversity net-gain" and provide new habitat opportunities in accordance with Paragraph 170(d) of the National Planning Policy Framework 2019 and Policy EN6b of the Tendring Local Plan.

Helen Morris-Ruffle ma mrtpi September 2020

