



# **Land rear of 62-68 Holland Road, Little Clacton**

**Erection of 3 self-build/custom built bungalows**

**Planning Statement**

**Peter Le Grys**

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**Stanfords**

## **1.0 Introduction**

- 1.1 This Planning Statement has been prepared on behalf of Mr M. Swain and is submitted in support of an outline planning application for three detached self-build/custom built bungalows on land to the rear of 62-68 Holland Road, Little Clacton.
- 1.2 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 2015.
- 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.

## **2.0 Site Context**

- 2.1 The applicant owns land forming part of Swallow Farm, set to the rear of 62-68 Holland Road. There is an existing roadway between No's 68 and 74 which leads to Swallow Farm. This driveway and land either side measures some 14m in width. The application site is roughly square and extends to 0.29 hectares including the access road. No.68 is a bungalow with an attached garage adjacent to the access. No.74 is a semi-detached house with an attached garage alongside.
- 2.2 A number of bungalows have recently been constructed on land to the rear of No's 30 to 38 Holland Road, and a further development of 6 bungalows has been built on land previously forming part of the Little Clacton Tennis Club and to the rear of 40 to 54 Holland Road, while planning permission has also been granted and implemented for a further 9 dwellings on land rear of 54 to 60 Holland Road, abutting the current application site.

2.3 Other than the permission for the 21 bungalows recently approved to the south and rear of properties along Holland Road, other dwellings comprise a range of properties of varying scale, height, bulk, design and position in relation to the highway. The neighbouring properties are mainly detached or semi-detached bungalows, some of which have now been converted to form chalet or two storey properties. There are no public rights of way within the site or within close proximity.

2.4 Little Clacton is a reasonably sized settlement which lies to the north of Clacton-on-Sea. The village is dispersed along Harwich, Holland and Weeley Road to the north and the centre of the village is located to the west of the application site aligned around the junction of Holland Road, The Street and St Osyth Road. The village has a range of services and amenities and is well connected to other larger settlements by bus routes which run through the village. Bus stops are located within close proximity to the site which provides routes to Harwich and Thorpe-le-Soken as well as Clacton-on-Sea. The local train stations in nearby Weeley, Thorpe-Le-Soken and Clacton-on-Sea also provide sustainable transport routes to Colchester and London Liverpool Street. It is therefore considered to be a sustainable location for development.

### **3.0 Relevant Planning History**

3.1 Planning permission for 8 bungalows was dismissed on appeal in 2020 (reference 18/01585/OUT).

### **4.0 Policy Context**

4.1 The National Planning Policy Framework advises that in determining planning applications for residential development, local planning authorities should consider 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 can 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.

4.2 Paragraph 62 of the NPPF makes it clear that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in

planning policies. This should include housing for those who wish to commission or build their own homes. Reference to the Self-Build and Custom Housebuilding Act 2015 is explicitly mentioned and the duty of the local authority to the Act and to ensure there are enough suitable development permissions to meet the identified demand.

- 4.3 The NPPF considers within paragraphs 79 and 80 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. 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 as well as the Council's obligations towards the provision of self-building dwellings against the harm identified arising from the proposed development.

#### Local Planning Policy

- 4.4 Tendring District Council formally adopted a new Local Plan on the 25<sup>th</sup> of January 2022, following the adoption of Section 1 in January 2021, which forms part of a wider North Essex planning strategy. Policy SPL2 discusses the settlement boundary allocations across the District stating that outside of settlement boundaries, the Council will consider any planning application in relation to the pattern and scales of growth promoted through the Settlement Hierarchy in Policy SPL1 and any other relevant policies in this plan. Little Clacton is categorised as a 'Rural Service Centre' in the settlement hierarchy within this policy where small scale growth is expected for the Plan period.
- 4.5 The Council's adopted policies as set out within the Local Plan introduces Policy LP7 supporting the concept of Self-Build and Custom-Built Homes. This affirms that the NPPF requires Councils to plan for a mix of housing based on the needs of different groups in the community which includes people wishing to build their own homes as a Self-Build or Custom-built home. The policy reads:

*The Council will also consider, on their merits, proposals for small developments of new Self-Build and Custom-Built Homes on land outside of, but within a reasonable proximity to, settlement development boundaries, where*

*they will still support a sustainable pattern of growth in the District and are brought forward by individuals or associates of individuals who will occupy those homes. All new dwellings on such developments must either:*

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

*b. be 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.*

*The proposal shall have no significant material adverse impact on the landscape, residential amenity, highway safety, or the form and character of nearby settlements and shall be otherwise appropriate in scale and design for their location, having regard to other policies in this Local Plan.*

- 4.6 In accordance with the Council's strategic aims to deliver economic, growth, tackle unemployment and deprivation and improve the long-term prospects of future generations, recognition is provided within the Plan for measures to attract businesses, rejuvenate town centres and create more jobs. The Council's Economic Development Strategy therefore suggests that delivering the right mix of housing is critical to the future of the district's economy. By enabling opportunities to deliver self-build homes within the overall mix of new housing over the plan period, the District can go some way in providing attractive high-quality properties that local people can aspire to live in and stay close to their family.

## **5.0 Proposed Development**

- 5.1 The application site is located immediately adjacent to housing recently constructed to the rear of No's 36 – 60 Holland Road. All of this development was shown to be outside the defined settlement boundary for Little Clacton as set out in the previous adopted Plan. In the majority of cases this land formed the back gardens of these properties. The principle of developing these large gardens and other underused sites has therefore been accepted by the Council, with a new housing development limit which extends up to the boundary of the Firs Caravan Park. This arrangement is effectively shown on the plan attached as appendix PLG1 together with details of each of the permissions involved.

- 5.2 In this case a vehicular access exists to serve the land at Swallow Farm. The development of the application site will not therefore introduce a new vehicular access nor will it introduce residential development within a backland area where no such development currently occurs. The existing driveway is a minimum of 3.7m wide. The application proposes to incorporate two passing bays along its length. The road will remain as a private driveway yet will terminate with a size 3 turning area to comply with the County Council highway requirements. In terms of visibility at the junction with Holland Road, splays of at least 2.4m x 100m to the east and 2.4m x 150m to the west are available.
- 5.3 The development will comprise 3 x three bed bungalows. Each dwelling would be provided with a double garage and further parking space together with private gardens considerably in excess of the Council's requirements. The design of the units would follow the local vernacular form, with each being detached. Details of external materials can be reserved by condition. The form and scale of the dwellings and respective plots would be very similar to those approved on land to the east. The development will therefore accord with the character of other recent developments in the immediate vicinity. As the suggested scheme is for single storey units only, the proposed layout will protect the amenities of the occupants of those neighbouring properties and no overlooking or loss of privacy will occur. A comprehensive hedgerow planting scheme can be introduced to the southern boundary.
- 5.4 The previous appeal followed the decision of the Council's Planning Committee against their officer's recommendation to approve the development of the site, as it was outside the settlement limits for Little Clacton. The Inspector did not concur with this view given the proximity of the site to the remainder of the settlement and facilities available. The Inspector also erroneously did not take into account the permission for the extension of The Firs Caravan Park to the south of the site and her judgement regarding encroachment into the countryside. The appeal was however determined on the basis that the outline application would create a cramped form of development. Other matters such as the provision of open space have since been superseded within the Local Plan since adopted.
- 5.5 The site is located safely accessible by foot within 400m of the defined settlement boundary of a rural service in accordance paragraph b) of Policy LP7. To certify that

the proposal meets the final criteria of the policy and as the Inspector found, it is unequivocal that the proposal shall have no significant material adverse impact on the landscape nor residential amenity demonstrated above. The proposal is appropriate in scale as a scheme for just 3 dwellings and can achieve a sympathetic design at Reserved Matters stage to reflect the form and character of Holland Road and the wider Little Clacton area. The applicant has registered his interest with the Council towards the development of a site for self-build / custom built housing thereby fully complying with the terms of Policy LP7 of the Plan.

5.6 The development of three bungalows as now proposed has taken into account the criteria contained within Policies LP3 & LP4 of the adopted Plan into the suggested layout. It is clear that:-

- i. the site lies immediately adjacent to the defined settlement development boundary and follows the same housing limit as recently established for the land to the east.
- ii. The access currently exists while parking and turning facilities would meet the approved standards. It would not cause an unreasonable loss of amenity to existing dwellings given the single storey nature and intervening distance involved. There is an opportunity to undertake further tree and hedgerow planting
- 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. Although the scheme does involve a long, narrow driveway, this already exists while passing bays would be incorporated.
- iv. the proposal does not involve a “tandem” form of 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 scheme would abut the extant permission for the extension to the caravan park and therefore would not produce a hard urban edge. It would be consistent with the form of housing approved to the east and thereby would reflect the character of development in the locality;

5.7 The suitability and sustainability of the immediate area for further housing has clearly been recognised by the Council. As accepted by the authority, the National Planning Policy Framework advises that in determining a planning application for residential

development, local planning authorities should follow 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. 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.

### **Economic and Social Context**

- 5.8 This site is located in a highly sustainable location close to the centre of the village which is identified as a 'key rural settlement' by the Council having excellent access to local facilities and amenities. The development is situated within the ribbon of housing along Holland Road and no further than other properties to the village centre. The aforementioned approvals confirm the suitability of the immediate location for sustainable residential development in terms of its social context. It is therefore considered to be a sustainable location for growth to support the vitality and vibrancy of the rural area.
- 5.9 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**

- 5.10 The proposed development must be examined in the context of the ribbon of housing and backland development that is underway to the south of properties along Holland Road as well as the wider landscape. The land has no specific environmental or ecological interests and is not designated for any landscape value. With the ability to create new tree and hedgerow planting along the boundaries of the site, the development will be relatively contained within the envelope of the existing settlement. Subject to an appropriate design, the development of the dwellings would cause limited impact upon the character of the locality. It is therefore concluded that the proposal meets the test of the environmental context set out within the definition of sustainable development.



- 5.11 While precedent is not a planning issue, it is important in this instance to highlight an appeal decision issued last month affecting a very similar site in Little Clacton. The Inspector makes clear that Policy SLP1 and SPL2 are intended to ensure housing is located in areas which are accessible and sustainable. In particular, paragraph 7 states:- 'Policy SPL2 of the Section 2 LP defines Settlement Development Boundaries (SDBs) for settlements listed in Policy SPL1. Outside SDBs, Policy SPL2 says that the Council will consider any planning application in relation to the pattern and scales of growth promoted through the settlement hierarchy in Policy SPL1 and any other relevant policies in the plan. Although the supporting text indicates that development outside SDBs will be subject to strict control to protect and enhance the character and openness of the countryside, Policy SPL2 does not explicitly preclude the development of housing outside SDBs as a matter of principle. Furthermore, the supporting text indicates that Rural Service Centres are expected to contribute to housing delivery during the plan period, at a scale which is proportionate, achievable and sustainable for each settlement'.
- 5.12 Paragraphs 9 to 11 of the appeal decision continue by stating 'Little Clacton provides a range of local services and facilities consistent with its status as a Rural Service Centre. A convenience shop and recreation ground are available within walking distance of the appeal site. There is a bus route along the B1441, easily accessible from the appeal site, providing public transport into the larger urban area of Clacton-on-Sea. The Council has indicated that previous developments within Little Clacton have already delivered the level of housing anticipated by the development plan. However, the policies outlined above do not place an upper limit on housing delivery, nor would any such limit be consistent with the focus of national planning policy on boosting the supply of housing. Development at the modest scale proposed would not undermine Little Clacton's role as a Rural Service Centre and there is no clear evidence that it would compromise the Council's strategic approach to housing delivery. Future occupiers would have access to services and facilities, without being excessively reliant on travel by car. There is no evidence that the proposed development would be unachievable. Given the above, the proposal would contribute new housing at a scale which is proportionate, achievable and sustainable in relation to the scale of Little Clacton and its role within the settlement hierarchy. I therefore conclude that the proposed development would provide a suitable location for housing in principle, based on the spatial strategy in the Tendring District Local Plan, as articulated in the policies outlined above'.

- 5.13 Within the previous appeal decision for the current site, no concerns were raised regarding any ecology or landscaping matters nor towards matters concerning surface water or foul drainage. There is no known contamination on the site and no concerns were raised by the Council in this respect. A construction methods statement has been submitted as part of this application. The site is therefore not within an impractical or undesirable location and the scheme could be implemented satisfactorily.
- 5.14 It is therefore clear that the authority should not determine this application simply on the basis that the site is beyond the village settlement limits. The scheme should be examined on its merits as a proposal for a form of bespoke custom-built housing for this particular site and to meet the needs of the village and expected growth over the Plan period in accordance with adopted Policy LP7. The proposal can only be considered as small scale and proportional to Little Clacton's ranking in the settlement hierarchy contained within Policy SPL1.

## **6.0 Conclusion**

- 6.1 The principle of housing development upon land to the south of Holland Road has been accepted within a number of recent schemes. In this case, the access to this site exists while it abuts the most recent approval of 9 dwellings to the rear of No.60 Holland Road. As such, the development now proposed will differ from this approved arrangement by virtue of the considerable reduction in scale and density when compared to the neighbouring development. The scheme will be in accordance with the Council's adopted policies as reflected in the form of housing permitted within the locality, particularly Policy LP7. The development would meet the three tests of sustainable development as set out in the latest NPPF where the presumption is clearly in favour of such residential development.