

Land adjacent Comarques Farm House, Colchester Road, Thorpe Le Soken

**Erection of 2 x two bed detached bungalows in lieu of
approved scheme for a 3 bed bungalow**

Planning Statement

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1.0 Introduction

- 1.1 This Planning Statement has been prepared on behalf of FGH (Essex) Ltd and is submitted in support of an application for the erection of 2 x two bed detached bungalows (in lieu of approved scheme for a 3 bed bungalow) on land adjacent Comarques Farm House, Colchester Road, Thorpe Le Soken.
- 1.2 This statement should be treated as forming part of the application and includes details on the intended scheme and to explain the rationale behind the development to assist the Local Planning Authority in making its decision.

2.0 Site and Surroundings

- 2.1 The site measures approximately 0.2ha and currently comprises part of the residential curtilage associated with Comarques Farm House. This is a detached two storey house situated immediately to the west. Adjacent to the east is a bungalow occupied by a member of the same family (Comarques Farm Bungalow). Both dwellings were associated with an extensive farm holding which has since been sold away. These two properties are set back from the road with a wide greensward laid to grass. An 'in-and-out' driveway serves Comarques Farm House, with a vehicular entrance available from the site direct onto Colchester Road. This access is positioned at the start of the 30mph speed zone entering into Thorpe le Soken. A Public Right of Way cuts through the rear section of the existing rear garden of Comarques Farm House.
- 2.2 The site is close to the junction with Golden Lane. This section of Colchester Road is lined to the north by a number of larger detached dwellings of a variety of architectural styles. Thorpe Green is to the west and on the corner with Thorpe Road is a detached house, The Elms, where planning permission has recently been granted for three dwellings. The access to the commercial site known as Tendring Fencing is close by, where a further residential scheme for four dwellings has also been approved. The settlement boundary for Thorpe le Soken extends to include the property opposite the site.

2.3 The centre of Thorpe le Soken can be reached on foot via a continuous public footway along Colchester Road and High Street. Thorpe le Soken is a large village with a wide range of local services including Primary School, Tendring Technology College, GP surgery, 2 public houses, sports and social club, Tesco Express and a range of independent shops and restaurants. Regular bus services also connect the site with larger settlements such as Clacton, Walton-on-the-Naze, Colchester and Harwich via bus stops located on Colchester Road. A bus shelter and bus stop on each side of Colchester Road are located just beyond the junction with Golden Lane.

3.0 Relevant Planning History

3.1 Outline planning permission was granted in 2017 for the development of one dwelling on the site (reference 17/00257/OUT). This permission was renewed in 2020 under reference 20/00688/OUT.

3.2 Reserved Matters were approved in 2023 for one dwelling (reference 22/01946/DET).

3.3 An application was approved on 18th December 2023 for an Existing Lawful Development Certificate for vehicular access under reference 23/01419/LUEX

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 25th 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. Thorpe Le Soken 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 opposite the housing settlement boundary for Thorpe Le Soken, within the 400m zone suggested by the Council within Policy LP7. Outline planning permission was granted in April 2021 with all matters reserved

for subsequent approval for one 3 bed dwelling. In granting the permission, the Council considered that the site could be developed without harming the character and appearance of the locality. Subsequent Reserved Matters was approved earlier this year.

- 5.2 The applicant has undertaken a number of residential development schemes within the locality and has found that the market is over saturated with three bed bungalows, particularly within the parishes of Thorpe Le Soken and Kirby Cross. As a consequence, a reconsideration of the approved scheme has become necessary. Rather than pursue the 3 bed scheme, and with recognition that there is a dearth of 2 bed dwellings in the area suitable for first time buyers, the scheme has been amended to provide for a pair of semi-detached smaller units. In accepting that the approved scheme contained one larger dwelling to site alongside Comarques Farm House and Comarques Bungalow, the scheme has been designed to appear as one single large dwelling. Albeit the development has two front doors, one has been placed to the side while a single vehicular access is proposed to serve both properties, identical to the approved scheme.
- 5.3 The proposed development will comprise two bespoke self-build bungalows. Each dwelling would be provided with a garage and further parking space together with private gardens considerably in excess of the Council's minimum requirements. The design of the units would follow the local vernacular form similar to that previously. Details of external materials are provided on the application drawings and remain as per the Reserved Matters approval. The form and scale of the dwellings and respective plots would be very similar to those elsewhere along the road and to the south. The development will therefore accord with the character of other 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 and tree planting scheme is included within the scheme together with hard landscaping details.

- 5.4 In so far as the rear boundary is concerned, this accords with the extent of the existing rear garden to Comarques Farm House. The garden will be no greater in depth than as existing residential curtilage. However, a Public Footpath crosses the garden. This rather unusual situation has been accepted by the current owner. The applicant is not intending to alter this arrangement, although it is anticipated that the rear section of garden beyond the footpath will become either an orchard or allotment for the respective dwellings. No restriction to users of the footpath will occur.
- 5.5 The site is located as 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 the proposal will have no significant material adverse impact on the landscape nor residential amenity demonstrated above.
- 5.6 The development of two 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.
 - 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.
 - 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;
- 5.7 The suitability and sustainability of Thorpe le Soken for further housing has clearly been recognised by the Council, both within the terms of the approval issued in 2021

and the Reserved Matters earlier this year, together with the adoption of Policy LP7. 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 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 Colchester Road and has the benefit of an extant permission for a dwelling. 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 along Colchester Road. The land has no specific environmental or ecological interests and is not designated for any landscape value. It has the benefit of an extant permission. With the ability to create new tree and hedgerow planting along the boundaries of the site, the development will be relatively contained within the perceived envelope of the existing settlement. The development 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 Connaught Road, Little Clacton. The Inspector made 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 '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'. Clearly, the circumstances as applied to Little Clacton are almost identical to the development of this site in Thorpe le Soken.

6.0 Conclusion

- 6.1 It is therefore clear that the authority should determine this application on the basis that permission has already been granted for one dwelling despite the site being beyond the village settlement limits. The scheme should be examined on its merits as a proposal for a form of bespoke self-build 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 the extant permission and to Thorpe le Soken's ranking in the settlement hierarchy contained within Policy SPL1. The development would meet the three tests of sustainable development as set out in the NPPF where the presumption is clearly in favour of such residential development.