



Phase 2

Planning Statement

Erection of a single dwelling with a detached garage

Land to the west of The Moors, Great Bentley

On behalf of
Hills Residential Construction Ltd

March 2024

Our ref: C24017

Phase 2 PLANNING & DEVELOPMENT LIMITED

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Quality Assurance

Site Name: Land to the west of The Moors, Great Bentley

Client Name: Hills Residential Construction Ltd

Type of Report: Planning Statement

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1. Introduction

1.1 This Planning Statement has been prepared by Phase 2 Planning and Development Ltd on behalf of Hills Residential Construction Ltd, hereafter referred to as the applicant, in support of a full planning application to erect a single dwelling and detached garage.

1.2 The description of development is as follows:

“Erection of a single dwelling with a detached garage and associated infrastructure.”

1.3 The application site comprises the side garden of a dwelling known as The Moors and the proposals seek an alternative development to a previously approved and partially implemented apartment block.

Purpose and Structure of this Report

1.4 The purpose of this report is to draw together the main planning issues in the consideration of this proposal.

1.5 Since the site lies within the Great Bentley Conservation Area, this application is accompanied by a Heritage Impact Assessment (HIA). The findings of the HIA are summarised within this Planning Statement.

Planning Application Documents

1.6 In brief, the application documentation comprises:

A suite of detailed application plans:

- Location Plan (MOOR/ADP/01);
- Site Plan (MOOR/ADP/02);
- Proposed Floor Plan (MOOR/ADP/04);
- Proposed Elevations (MOOR/ADP/05);
- Proposed Outbuildings – Elevations and Floorplans (MOOR/ADP/06) and
- Landscaping Drawing (24.5453.01 rev. A).

Relevant technical and environmental reports:

- Arboricultural Impact Assessment and Preliminary Method Statements;
- Ecological Assessment;
- Heritage Impact Assessment;
- Design and Access Statement; and
- This Planning Statement.

2. Site and Surroundings

Wider Context of the Great Bentley Conservation Area and the Village Green

- 2.1 The village of Great Bentley is centred on and characterised by its village green, the second largest in the country, which has dictated its settlement pattern. As detailed within the Heritage Impact Assessment, development was initially focused around the village green, with development fronting onto this open space, with later development beyond often in an estate style.
- 2.2 The Great Bentley Conservation Area, within which the application site falls, was designated in 1969 and subject to later boundary amendments. The defining feature of the conservation area is the village green and the dwellings that front onto it. The Heritage Impact Assessment recognises that there are few unifying characters of the dwellings around the green, with the dwellings mixed in terms of their quality.
- 2.3 The Heritage Consultant has assessed the key views within the Conservation Area and has identified that there are no key views from or directly overlooking the site. The site is not visually prominent from within the Conservation Area and is largely sheltered by trees.

The Site and Its Locality

- 2.4 The area of land subject to this planning application relates to land currently falling within the curtilage of the residential property, known as The Moors, within the built-up area of the village of Great Bentley. The extent of the application site is as shown by the land edged red on the Site Location Plan submitted in support of this application (see extract at Figure 1 below).

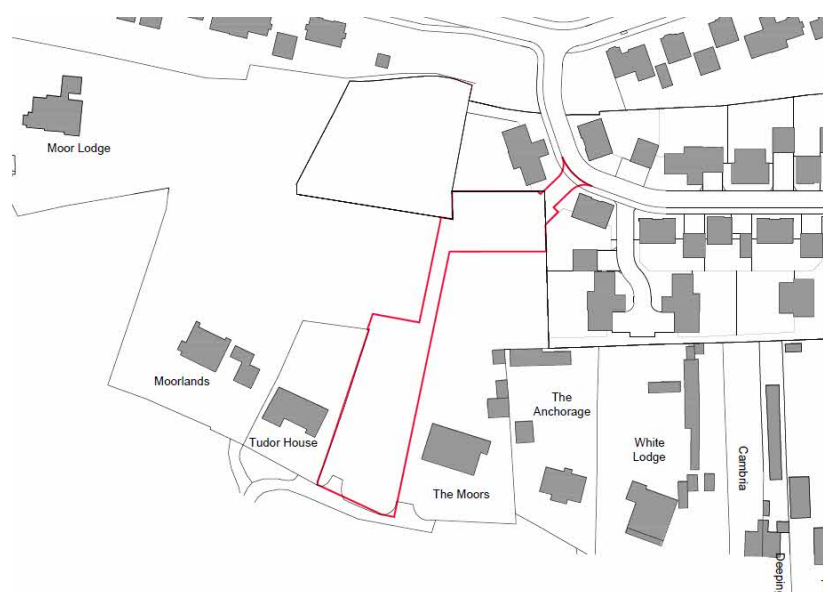


Figure 1: Extract from Site Location Plan

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- 2.5 The site is located on the northern side of the village green, lying towards the western end of a row of dwellings that run to the north of Weeley Road. Dwellings further east are located closer to the road, with dwellings to the west located further away from Weeley Road, accessed by longer private drives. The dwellings in this area comprise detached and semi-detached properties, generally set within spacious plots, many of which having outbuildings to the rear.
- 2.6 To the rear of the dwellings fronting onto Weeley Road, lies a residential development known as Admirals Green, which is accessed from Heckfords Road to the west.
- 2.7 The Moors is accessed from an established drive which crosses the village green and also serves two additional dwellings to the west known as Tudor House and Moorlands. The Moors is a large, detached timber dwelling, constructed in the 1990s with applied timber framing. It is located within a particularly large plot, both in terms of its width and depth. This plot size and the resultant gap between dwellings created by the area of side garden is unusual in this area.
- 2.8 In terms of the character of the dwellings either side of the application site, both The Moors and Tudor House are substantial mock Tudor dwellings, built in the 1990s.
- 2.9 The site itself comprises a side garden to the west of The Moors and has a site frontage of around 25 metres. There is a brick wall along the site frontage, with a recessed access gate towards the western end. The site is generally flat and laid to grass, with three trees and an area of planting in the front part of the site. These trees, coupled with trees on the grassed area serve to partially screen the application site when viewed from the south.
- 2.10 In addition to the trees at the site frontage, there are a small number of trees set back further within the site.

Accessibility

- 2.11 The site has good accessibility and is located within 800 metres of the village centre, which contains a range of services and facilities including a train station, a local convenience store, a village hall and a primary school.

3. Planning History

- 3.1 There have been a number of planning applications on the application site which are of direct relevance to the proposals, having established the principle of residential development in this location. These planning applications date back to 2001 with all applications either relating to a block of apartments and/or garages to the rear. The applications have generally, been successful, other than an application which was refused in 2002 (02/01002/OUT), which was subsequently allowed at appeal and an application for three dwellings under ref. 22/00286/FUL.
- 3.2 The partially implemented permission was submitted in 2019 for three apartments and a garage block to the rear (LPA ref: 19/00448/FUL). Extracts from the approved drawings are provided at Figures 2 and 3 below. This consented building measured 16 wide, by 18 metres deep, with a ridge height of 9.5 metres.



Figure 2: Elevations of Approved Apartment Block

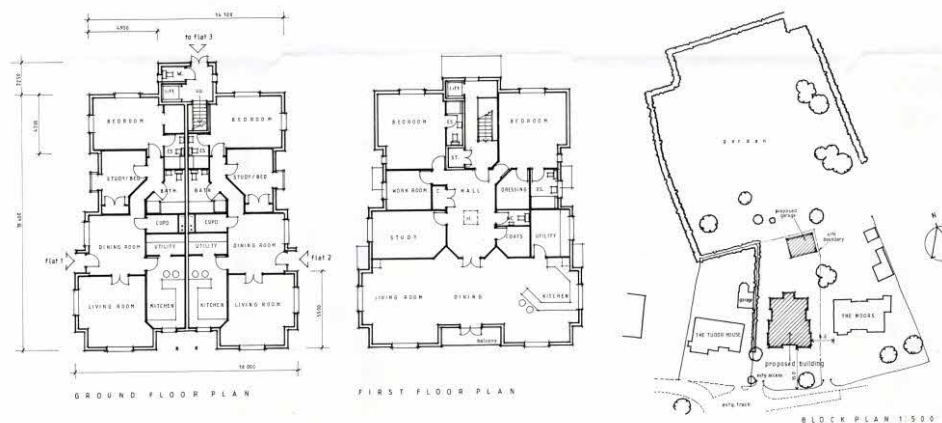


Figure 2 Floorplans and Block Plan of Approved Apartment Block

- 3.3 Key points arising from the officer's delegated report are summarised below:
- Proposals acceptable to Highways Authority subject to conditions;
 - Site in settlement boundary and not safeguarded for any other use and is essentially an 'infill' development, therefore the principle of development is acceptable subject to other considerations;
 - Great Bentley is a Rural Service Centre and can therefore accommodate a modest increase in housing stock within the Plan period;

Scale, mass, height and overall appearance relate acceptably to adjacent dwellings with ample spacing retained around the building to ensure that the development will sit comfortably within the plot;

The scheme would not detract from the character and appearance of the Great Bentley Conservation Area;

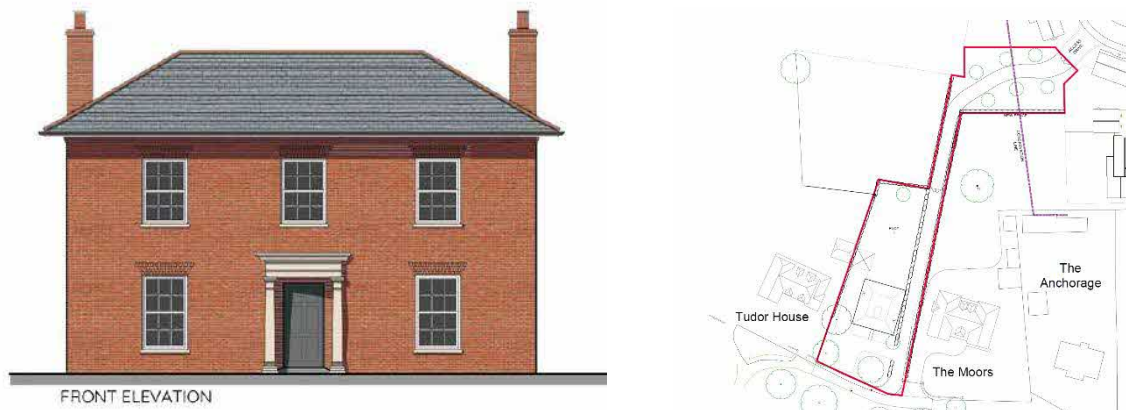
There will be 9 metres between the proposed building and Tudor House and 8 metres between the proposed building and The Moors. The spacing between dwellings ensures that there will be no material loss of outlook or light; and

Great Bentley Parish Council indicated that there appears to be no right of access to the site across the village green and that the Parish Council as owner of the Green cannot give access approval. However, the report identified that land ownership and rights of access are not a planning matter.

- 3.4 Permission was subsequently sought and granted for confirmation that condition 1 (time limit) of the 2019 permission had been complied with (LPA ref: 22/00835/DISCON). The covering letter submitted with the application and accompanying site photographs identified that material operations in terms of laying of underground pipes / ducts and the laying out and construction of part of the access road to the development had been carried out. As a result, the 2019 planning permission has not lapsed.

4. The Proposed Development

- 4.1 This application seeks full planning permission for a simple, traditionally designed dwelling with a detached garage which will effectively “infill” the existing gap between two dwellings. The application site has an extant planning permission for an apartment block, as detailed in Section 3 of this report, and it is proposed that this scheme would be provided as a suitable alternative to the consented development.



Figures 4 & 5: Proposed Front Elevation and Proposed Site Plan

- 4.2 The proposed dwelling will maintain the existing building line and wider settlement pattern. It is smaller than the consented apartment block, with a width of 13 metres, depth of 14 metres and a ridge height of 8 metres. It is therefore 3 metres narrower, 4 metres shallower and has a ridge height of 1.5 metres lower than the consented building.
- 4.3 The dwelling will be constructed in a traditional style with a simple, neo-Georgian appearance. It will have a symmetrical, three-bay frontage overlooking the green to the south this continuing the red brick/mock tudor nature of the street scene. It is proposed that the dwelling will be faced in red brick, with a stone portico and cills and a tiled roof. Large sliding sash windows will create an attractive and balanced frontage whilst allowing good natural light into the property.
- 4.3 It is proposed that the garage block will be located to the north-west of the house, broadly adjacent to the garage block of the neighbouring Tudor House. The garage is capable of accommodating two cars. It is a sensitively designed brick building, with a pitched, grey tiled roof.
- 4.4 The landscaping drawing is included and shows the locality of the new trees which includes a net increase of 6 trees on the development as well as a dividing hedge with the Moors.

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- 4.5 Although the proposals will result in the reduction of the garden area for The Moors, both dwellings will have substantial curtilages and gardens, appropriate for the size of the dwellings, significantly above garden size standards.
- 4.6 With regard to access, the block plan shows access from both the private drive currently serving Moorlands, Tudor House and The Moors along with a primary access from Lang Way via Michael Wright Way to the north.
- 4.7 In terms of parking, a double garage is provided and combined with the gravel driveway will provide sufficient parking provision for residents and visitors.

5. Planning Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise, such as Government Policy or emerging Local Policy.
- 5.2 The statutory development plan for this area comprises:
- Tendring District Local Plan 2013-2033 and Beyond: North Essex Authorities' Shared Strategic Section 1; and
 - Tendring District Local Plan 2013-2033 and Beyond: Section 2.
- 5.3 These documents were adopted in 2021 and 2022 respectively.

Adopted Local Plan

Section 1

- 5.4 This site lies within the built-up area of the village of Great Bentley, within both the settlement boundary and also the Great Bentley Conservation Area. It lies adjacent to, but not within the village green, which is an area of safeguarded open space. An extract of the Local Plan Map for the village is shown at Figure 6 below:



Figure 6: Extract from the Great Bentley Local Plan Map

- 5.5 Policy SP1 identifies that a positive approach will be taken to development proposals that reflect the presumption in favour of sustainable development as set out in the NPPF. The Councils will work pro-actively with applicants 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.

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- 5.6 Policy SP2 states that contributions will be secured from development towards mitigation measures in accordance with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy.
 - 5.7 Strategic Policy SP3 states that existing settlements will be the principal focus for additional growth with development accommodated within or adjoining settlements.
 - 5.8 Policy SP7 sets out place shaping principles and identifies that all new development must meet high standards of urban and architectural design.

[Section 2](#)

- 5.9 Section 2 of the Plan recognises at paragraph 3.3.2.1 that it is likely that a number of currently unidentified 'windfall' sites will obtain planning permission for housing in accordance with the policies in the Local Plan during this period. The application proposals represent an example of a small windfall development.
- 5.10 In terms of the spatial strategy, the Local Plan identifies Great Bentley as a Rural Service Centre recognising that these settlements have opportunities for smaller-scale growth, recognising that such developments will make a meaningful contribution towards local housing need, supporting the village economy and assisting with the overall housing growth proposed for the District.
- 5.11 Policy SPL2 recognises that within settlement boundaries there will be a general presumption in favour of development subject to detailed consideration against other relevant Local Plan policies.
- 5.12 SPL3 sets out the requirements for sustainable design. These criteria have been taken into consideration when preparing the proposals for this site.
- 5.13 Policy LP8 sets out the requirements for backland residential development and relates to development which lies generally behind the line of existing frontage development. Given that the proposed development site is in between dwellings with the proposed frontage being broadly level to the existing frontages, this policy is not relevant.
- 5.14 In terms of conservation areas, Policy PPL8 states that new development will only be permitted where it has regard to the desirability of preserving or enhancing the special character, especially in relation to a number of stated criteria. These are listed and considered in greater detail in the supporting Heritage Impact Assessment.

[Supplementary Planning Documents \(SPDs\) and Other Guidance](#)

- 5.15 The following SPDs are also of relevance to the proposed development:

[National Planning Policy Framework \(NPPF\)](#)

- 5.16 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies. It identifies the Government’s vision, objectives and goals for the planning system and provides guidance on the determination of planning applications. A summary of the key relevant points relating to this planning application are provided below.

[Achieving Sustainable Development and The Presumption in Favour](#)

- 5.17 The Framework identifies that the planning system has three overarching objectives: economic, social and environmental. They are not criteria against which every decision should be judged, but in relation to the social objective, paragraph 8 states in relation to the social objective “to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided; and by fostering well designed, beautiful and safe places...”.
- 5.18 The presumption in favour of sustainable development is at the heart of the Framework, with paragraph 11 recognising that plans and decisions should apply a presumption in favour sustainable development.

[Delivering a Sufficient Supply of Homes](#)

- 5.19 The Framework recognises the Government’s objective of significantly boosting the supply of homes. It recognises the important contribution that small and medium sizes sites can make an important contribution to meeting the housing requirements of an area with criterion d) of paragraph 70 stating that local planning authorities should “support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”.

[Rural Housing](#)

- 5.20 Paragraph 83 states:

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.”

Making Effective Use of Land

- 5.21 The Framework recognises that policies and decisions should promote an effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions. It goes on to state that they should promote and support the development of under-utilised land and buildings.

Achieving Well-Designed and Beautiful Places

- 5.22 Paragraph 131 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Conserving and Enhancing the Historic Environment

- 5.23 There is a requirement for the applicant to describe the significance of any heritage assets affected by an application, with the level of detail proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 5.24 The Framework considers the extent of harm to a heritage asset arising from development. It states that where a proposal will result in 'less than substantial harm' this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use (paragraph 208). It goes on to state "in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 209). It also identifies at paragraph 213 that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance."

6. Main Planning Considerations

6.1 This section considers the following key planning considerations in the determination of this full planning application:

- a) Principle of development;
- b) Design and layout;
- c) Heritage impact;
- d) Arboriculture and landscaping;
- e) Highways and parking;
- f) Residential amenity considerations; and
- g) Ecology and biodiversity.

(a) Principle of Development

6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise, such as Government Policy or emerging Local Policy.

6.3 The proposals accord with Policies SP3 and SPL2 which confirm that the principle of development is acceptable in principle.

(b) Design and Layout

6.4 The proposals have been considered in the context of the criteria set out in Policy SPL3 below:

Part A: Design
<ul style="list-style-type: none">a) The proposed new dwelling has been well designed to maintain local character;b) The development relates well to its site and surrounding. It is appropriately sited so that it follows the existing building line, is smaller than the consented apartment block and appropriate in terms of design and materials;c) The development respects local views from the village green;d) There are no notable site features on the site; ande) Boundary treatments and hard and soft landscaping are designed as an integral art of the development.
Part B: Practical Requirements
<ul style="list-style-type: none">a) Access to the site is practical and the highway network will be able to safely accommodate the additional traffic generated by one additional dwelling;b) The design and layout of the development makes reasonable provision for most people to approach and enter the dwelling and access habitable rooms and sanitary facilities on the ground floor in accordance with Part M4(1) of the Building Regulations;

<ul style="list-style-type: none"> c) The development provides good passive surveillance of the village green, reducing opportunities for crime and anti-social behaviour; d) The development will meet all requirements in terms of Building Regulations and the policies and requirements of the Local Plan in terms of greenhouse gases and impact on climate change; e) The dwelling has been designed to ensure adequate daylight, outlook and privacy for residents; f) The proposals include a substantial rear garden that exceeds minimum requirements. Waste and recycling storage will be provided within the curtilage of the building. Adequate parking and cycle parking is provided by the proposed garage, with space for further car parking on plot; g) The development is not located within an area of flood risk and will integrate sustainable drainage, create private amenity and the landscaping proposals will provide opportunities for enhanced biodiversity.
Part C: Impacts and Compatibility
<ul style="list-style-type: none"> a) There is good separation between the proposed dwelling and the neighbouring properties and therefore will not impact on the privacy, daylight or other amenities of occupiers of the neighbouring properties; b) As a single dwelling, the proposals will not have an unacceptable impact on pollution levels; c) The health, safety or amenity of any occupants or users of the proposed development will not be materially harmed by pollution; d) The development will not impact on or be impacted by the adopted Essex Mineral Local Plan; and e) During the construction phase, developers will employ reasonable measures and techniques to minimise and mitigate and impacts or disturbance to neighbours. <p>The development will not have adverse impacts on the environment.</p>

Table 6.1: Consideration of the Proposals against Policy SPL3

6.5 From Table 6.1 it is therefore demonstrated that the proposals accord with the design criteria set out in Policy SPL3.

Heritage Impact

6.6 The site lies within Great Bentley Conservation Area and therefore as new development, the proposals should be considered in the context of Policy PPL8. This application is supported by a Heritage Impact Assessment which provided a comprehensive assessment of the Conservation Area and the impact of the proposals on the Conservation Area.

6.7 This assessment finds that the development conforms with the established character and appearance of the Conservation Area and will cause no harm to its significance. It states that in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the character and appearance of the Conservation Area will be preserved.

6.8 In relation to the assessment criteria set out in PPL8, a summary based on the findings of the Heritage Consultant is provided below:

- a) The proposals will conform to the scale and design of the local area;
- b) The proposed materials and finishes, including boundary treatments, are appropriate to the context;
- c) The proposed hard and soft landscaping are appropriate; and
- d) and e) The proposals will respond to important views and the character of the open space in the Conservation Area.

Arboriculture and Landscaping

6.9 This application is supported by an Arboricultural Impact Assessment, which confirms that trees T1 and T3 will require removal to facilitate the development, however their loss will not have a detrimental effect on visual tree amenity as the trees are either small/managed specimens or obscured from public view by the existing and natural built form. It states that the loss to the local landscape character can be mitigated with suitable replacement planting of heavy standard, native trees within the application site as part of the detailed landscape design.

6.10 The report also recognises that trees T12 and T16 will require hand excavation, root pruning and construction of hard surfacing within the root protection area for the construction of the access road. A suitable method statement for a no-dig constructed access road is provided.

Highways and Parking

6.11 Previous applications for this site have always provided access from the front of the property, using the existing shared access road off Weeley Road that currently serves Moorlands, Tudor House and The Moors. The Parish Council own this access road and have previously advised that they would not permit use of this access road for a new dwelling on this site. Whilst this is not a planning matter, and has been recognised accordingly by the Council when considering applications on this site, an alternative access is provided from the new development to the north. This alternative access is taken off the new estate road, Michael Wright Way.

6.12 The site has adequate off-street parking, within the double garage and within the hard surfaced driveway. The double garage can also be used as cycle storage.

Residential Amenity Considerations

6.13 The positioning of the proposed dwelling and outbuilding is such that it will not impact on the amenities of the residents of the neighbouring dwellings with regard to matters such as privacy, overlooking, overshadowing etc.

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- 6.14 Care will be taken to minimise disturbance during the construction phase and it is anticipated that this would be secured by an appropriately worded condition.

Ecology and Biodiversity

- 6.15 The application is accompanied by an Ecological Assessment which identifies that the site is a flat open mown amenity lawn that has very limited sward structure or floristic diversity and has no conservation or biodiversity value in its current condition.
- 6.16 The site lies within a 'zone of influence' for the RAMSAR, Special Protection Areas and Special Areas of Conservation. Although development will not directly impact on these areas it could in theory have some minor recreational disturbance impact and therefore a payment will need to be made to the Council to ensure that the development would have no likely significant effect in combination with any other development.
- 6.17 This application is submitted prior to 2nd April 2024 and therefore as a minor development is not required to demonstrate biodiversity net gain.

Summary

- 6.18 The development proposals are considered to bring a range of benefits, commensurate with their limited scale, which can be summarised as:

Economic Benefits:

- Job creation during the construction phase; and
- A small increase in spending in the local area arising from a new household in the village.

Social Benefits:

- A small but positive contribution towards meeting housing needs in accordance with the government's objective of significantly boosting the supply of homes.

Environmental Benefits:

- Detailed landscape plan to incorporate new tree, hedge and shrub planting.

- 6.19 There are no negative impacts arising from the development and the Heritage Impact Assessment confirms that there will be no impact on the Conservation Area.
- 6.20 Based on the foregoing, it is submitted that the proposals accord with the development plan and can be approved without delay in accordance with paragraph 11 of the NPPF.

7. Conclusion

- 7.1 The proposed development is for a single detached dwelling in a traditional style that has been carefully designed and assessed by a team of consultants.
- 7.2 The site lies within the settlement boundary of Great Bentley, a Rural Service Centre, which benefits from a range of services and facilities. Development in this location is acceptable in principle and such acceptance has already been established by the Council by virtue of the grant of planning permission for three apartments and a garage block on this site.
- 7.3 The design of the dwelling coupled with its scale and mass is considered appropriate in this location, which is characterised by larger dwellings in large plots which front onto the village green. The proposals are smaller in scale than the extant planning permission. The appearance of the dwelling is attractive and will provide a positive addition to the street scene.
- 7.4 The HIA has found that the overall settlement pattern, which is an integral feature of the Conservation Area will remain unchanged by the proposals. The proposals will not affect the character, appearance or significance of the heritage asset. It states that in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the character and appearance of the Conservation Area will be preserved. There are therefore no heritage grounds for refusing this application.
- 7.5 The proposals include suitable means of access for both vehicles and pedestrians and adequate off-street car parking.



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