



**Application No:** 152882

**Location:** Hallfields Farm, Manningtree Road, Dedham, Essex, CO7 6AE

**Scale (approx):** 1:1250

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**7.2 Case Officer: Sue Jackson**

**Due Date: 05/04/2016**

**MAJOR**

**Site:** Hallfields Farm, Manningtree Road, Dedham, Essex, CO7 6AE

**Application No:** 152882

**Date Received:** 5 January 2016

**Agent:** Mr Gregory Byrne, ADP Ltd

**Applicant:** Mr J. Hills, Hills Building Group

**Development:** Application for variation of condition 2 (which lists the approved drawings) of planning permission 146334 to allow amendments to the materials and windows to plots 4 and 5..

**Ward:** Dedham & Langham

**Summary of Recommendation:** Conditional approval subject to signing of Section 106 Agreement

## **1.0 Reason for Referral to the Planning Committee**

- 1.1 This application is referred to the Planning Committee because it is a major application and objections have been received.

## **2.0 Synopsis**

- 2.1 The key issues explored below are the proposed minor changes to the elevations including a comparison with the approved drawings.

## **3.0 Site Description and Context**

- 3.1 The application site lies on the edge of the settlement and has a frontage of approximately 40 metres onto Manningtree Road. The site increases in width to some 125 metres further into the site where it extends behind frontage dwellings and then narrows again where it backs onto a PROW. It is located some 120 metres from the junction with Brook Street and approximately 600 metres from Dedham village centre.
- 3.2 The north, front boundary, faces towards Roman Place it also extends behind Hallfields Cottages and Appletree Cottage; these properties front Manningtree Road. The staggered rear boundary abuts the rear garden of Crown House, Crown Street and the PROW which separates the site from the rear gardens of houses in Forge Street. The latter erected by the Local Authority in the Twentieth century. The staggered west side boundary abuts rear gardens of properties in Crown Street and Hallfields bungalows. These bungalows are set behind the road frontage. The east side boundary abuts farm land. A PROW, comprising a continuation of the path to the rear of Forge Street crosses the farmland some 150 metres to the east of the site and joins Manningtree Road.

- 3.3 Planning permission was granted last year to erect for 17 dwellings; comprising 9 affordable units and 8 private units. This application relates to 2 of the private units, plots 4 and 5, which back onto Hallfields Cottages and Appletree Cottage.

#### **4.0 Description of the Proposal**

- 4.1 The application proposes minor changes to the approved dwellings on plots 4 and 5.
- 4.2 Plot 4 a predominantly brick property will be constructed of Flemish garden wall bond. Changes to the internal layout of the first floor of plot 5 show 2 bedrooms in the rear resulting in 2 bedroom windows where 1 was approved (the total number of bedrooms is not changed) and garage doors are proposed to the rear elevation of plots 4 and 5 and will replace a window and a door.

#### **5.0 Land Use Allocation**

- 5.1 The site abuts but is outside the village settlement boundary envelope. It also abuts the conservation area.
- 5.2 The site is in the Dedham Vale AONB.

#### **6.0 Relevant Planning History**

- 6.1 146334 Application for demolition of farm outbuildings and erection of 9 affordable homes, 8 market homes, associated works and access/parking approved

#### **7.0 Principal Policies**

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National planning Policy Framework (NPPF) must also be taken into account in planning decisions and sets out the Government's planning policies are to be applied. The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.
- 7.2 Continuing the themes of the NPPF, the adopted Colchester Borough Core Strategy (adopted 2008, amended 2014) adds detail through local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations  
UR2 - Built Design and Character  
ENV1 - Environment  
ENV2 - Rural Communities

- 7.3 In addition, the following are relevant adopted Colchester Borough Development Policies (adopted 2010, amended 2014):

DP1 Design and Amenity  
DP22 Dedham Vale Area of Outstanding Natural Beauty

- 7.4 Regard should also be given to the following adopted Supplementary Planning Guidance/Documents:

The Essex Design Guide  
External Materials in New Developments  
Dedham Parish Plan December 2011  
Dedham Village Design Statement November 2007  
Dedham Vale AONB Management Plan 2004 revised 2010

## **8.0 Consultations**

- 8.1 Highway Authority has assessed the highway and transportation impact of this proposal and raises no objection
- 8.2 Environmental Protection No Comments
- 8.3 Contaminated Land Officer No Comments
- 8.4 Natural England currently has no comment to make on the variation of condition 2.

In addition to the details reported above, the full text of all consultation responses is available to view on the Council's website.

## **9.0 Parish Council Response**

- 9.1 The Parish Council have stated that Dedham Parish Council supports the objection from the Dedham Vale Society and asks that the carefully agreed designs should not be subject to variation

## **10.0 Representations**

- 10.1 Dedham Vale Society: States " I was present at the meeting at the town hall when permission was originally granted despite the proposed development being outside the village envelope and inside the AONB the Planning Committee councillors were impressed with the very high standard of design much of it taking account of the local vernacular. The alterations now proposed down grade the principle established when permission was originally granted"

The full text of all of the representations received is available to view on the Council's website.

## **11.0 Parking Provision**

- 11.1 Unaffected by the amendments proposed

## **12.0 Open Space Provisions**

- 12.1 Unaffected by the amendments proposed

### **13.0 Air Quality**

- 13.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

### **14.0 Development Team and Planning Obligations**

- 14.1 This application is classed as a “Major” application and therefore there was a requirement for it to be considered by the Development Team. It was considered that a linking agreement was required to secure the same Planning Obligations agreed under application 146334
- 14.2 The legal agreement secures
- the affordable units as affordable in perpetuity
  - the private housing to fund the construction and fitting out of the affordable units
  - a timetable for the delivery of the affordable units to be submitted to and agreed with the Local Planning Authority (constructed, fitted out and passed to a registered provider in accordance with the agreed terms), agreement to a phasing plan and delivery cascade
  - the affordable units to be rented
  - agreement with the Council on the criteria for a Local Lettings policy

### **15.0 Report**

#### Design and Layout

- 15.1 There is no change to the approved layout. The minor changes to the rear elevation on the two plots are acceptable and would have been supported by officers had they formed part of the original application. It is not considered that the proposed alterations dilute or diminish the design quality of the scheme as a whole.

#### Scale, Height and Massing

- 15.2 Unaffected by the proposed amendments

#### Impact on the Surrounding Area

- 15.3 The minor changes are on the rear elevation and have no impact on the surrounding area. Whilst Dedham Parish Council and Dedham Vale Society have raised objection they have not detailed why they consider the amendments will down grade the approved scheme. Flemish garden wall bond which uses headers as well as stretchers in the brick courses is a traditional bond in Dedham and is preferable to the more generally used stretcher bond (a modern mode of brick laying).

### Impacts on Neighbouring Properties

- 15.4 As Members are aware certain non-material amendments can be dealt with by officers. In this instance it was considered the residents of Appletree Cottage and Hallfields Cottages should be consulted on the amendments and the applicant was advised to submit a planning application. No comment has been received from residents.

### Amenity Provisions

- 15.5 Unaffected by the proposed amendments

### Highway Issues

- 15.6 The amendments raise no highway issues

## **16.0 Conclusion**

- 16.1 These minor amendments are acceptable and permission is recommended

## **17.0 Recommendation**

- 17.1. APPROVE subject to the signing of a linking agreement under Section 106 of the Town and Country Planning Act 1990 within 6 months from the date of the Committee meeting. In the event that the legal agreement is not signed within 6 months, to delegate authority to the Head of Commercial Services to refuse the application, or otherwise to be authorised to complete the agreement to secure the same matters as the existing agreement for application 146334
- 17.2 On completion of the linking agreement, the Head of Service be authorised to grant planning permission subject to the following conditions:

## **18.0 Conditions**

### **1 - Non-Standard Condition/Reason**

With the exception of condition 2 of Planning Permission 146334 which is hereby varied, the requirements of all other conditions imposed upon planning permission 146334 remain in force and shall continue to apply to this permission, including the details and provisions of any approved matters discharging any condition(s) of that permission.

Reason: To avoid any doubt that this application only applies for the variation of the stated condition(s) of the previous planning permission as referenced and does not seek the review of other conditions, in the interests of proper planning and so that the applicant is clear on the requirements they need to comply with.

## 2 - \*Development to Accord With Approved Plans

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers Landscape Strategy 14.1758.01, Highways General arrangement 1034/SK02, Highways Drainage Concept 1034/SK03, 1085.L., 204C, 205D, 013A, 014B, 000, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027 and 028, 1085.S.201

Reason: For the avoidance of doubt as to the scope of this permission and in the interests of proper planning.

## 19.0 Positivity Statement

- 19.1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.