

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	17/09/2018
Planning Development Manager authorisation:	ANJ	17/9/18
Admin checks / despatch completed	AN	18/9/18

Application: 18/00548/FUL **Town / Parish:** Tendring Parish Council *ER*

Applicant: Mr & Mrs Hopper

Address: Pilcox Hall Barn Pilcox Hall Lane Tendring

Development: Proposed conversion of existing store building into annexe accommodation (including a new pitched roof over) and erection of garage into boundary wall.

1. Town / Parish Council

Tendring Parish Council No objections.

2. Consultation Responses

None required.

3. Planning History

07/00002/FUL	3 bed detached bungalow.	Withdrawn	10.10.2007
07/01865/FUL	Erection of 1 no. detached bungalow.	Withdrawn	20.02.2008
08/01064/FUL	Conversion of existing outbuilding to form 1 No. two bedroom single-storey dwelling and associated works.	Approved	29.10.2008
08/01065/LBC	Conversion of existing outbuilding to form 1 No. two bedroom single-storey dwelling and associated works.	Approved	29.10.2008
15/00043/FUL	Conversion of existing outbuilding to two bedroom single storey dwelling and 2.2m high brick wall and metal gates.	Approved	11.03.2015
15/00044/LBC	Conversion of existing outbuilding to two bedroom single storey dwelling.	Approved	11.03.2015
16/00025/DISCON	Discharge of conditions 03 (brickwork) of planning permission 15/00043/FUL.	Approved	28.01.2016

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

EN23 Development Within the Proximity of a Listed Building

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

SPL3 Sustainable Design

PPL9 Listed Buildings

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is Pilcox Hall Barn, a detached dwelling formerly an outbuilding associated with Pilcox Hall but now a separate dwelling as approved under planning application 08/01064/FUL and amended by 15/00043/FUL. The application relates to an existing outbuilding to the front of the dwelling located on Pilcox Hall Lane, Tendring. The site is outside of the Settlement Development Boundaries as established in the saved and draft local plans. The nearest defined settlement is Tendring Green, which is approximately 0.7 miles from the application site. The site is located to the north of Pilcox Hall a Grade II listed building.

Description of Proposal

The application seeks permission for the conversion of the existing outbuilding to annexe accommodation associated with Pilcox Hall Barn. The works include the erection of a new pitched roof to be finished in natural slate (just over 5 metres in height), new windows and doors and new black feather edge weather boarding (brick plinth to be exposed).

The application also proposes the erection of a detached garage building just less than 4 metres in height attached to the existing boundary wall to the side of the existing barn. This is to be brick built with a slate roof and black weather boarded gable ends to match the host property and converted outbuilding.

Assessment

The main considerations in this instance are;

- Design, Appearance and Impact on Heritage Assets;
- Residential Amenities;
- Representations.

Design, Appearance and Impact on Heritage Assets

The existing building to be converted is of no architectural merit being poorly constructed with a metal sheeting roof and metal windows. Historic records show that the building was constructed around 1950s and has the appearance is of a barn or agricultural use. The building is in a state of disrepair and does not contribute positively to the locality.

The proposed alterations and additions to facilitate its conversion will match the finish on the existing barn conversion. The overall height of the resultant building will be of a similar height to the host property, being no higher. The conversion of the existing building and associated alterations are considered a visual improvement. The use of matching, sympathetic materials in this semi-rural location are considered appropriate and the development will be a visual improvement at the end of the lane.

The proposed garage is just less than 4 metres in height located to the side/rear of the host dwelling and is of a scale that would be considered under permitted development rights if it were sited away from the boundary. In this instance, the side wall is formed by the existing boundary wall and the garage therefore requires planning permission. However, its low height and siting back from the highway means that it will not be publically visible being screened by existing boundary treatments and vegetation. The appropriate use of materials means that it will appear in keeping with the host dwelling and converted outbuilding.

Both buildings subject of this application are sited well away from the listed Pilcox Hall to the south. The separation distance of between 20 to 40 metres and mature trees and planting ensure that the proposed development will not be harmful to the setting of the listed building.

Residential Amenities

The new building and conversion are sited a sufficient distance from neighbouring dwellings to not result in any material harm to residential amenities. The buildings do not encroach into the garden area of the host dwelling with ample spacing to the rear of the building and within the courtyard area to the front.

Representations

Tendring Parish Council raise no objection to the application.

No individual letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 783/02 and Drawing No. 783/03 Rev. A and associated materials details.

Reason - For the avoidance of doubt and in the interests of proper planning.

8. Informatives

Positive and Proactive Statement

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.

Ancillary Use Only

The converted outbuilding shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Pilcox Hall Barn, Pilcox Hall Lane, Tendring, Essex CO16 0DP. It shall not be sold, transferred, leased or otherwise disposed of as an independent residential unit.