

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	25/09/2018
Planning Development Manager authorisation:	SCE	26.09.18
Admin checks / despatch completed	AP	26/9/18

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**Application:** 18/01273/FUL                      **Town / Parish:** Ardleigh Parish Council  
**Applicant:** Mr Andrew Perillo  
**Address:** Meadow Cottage Dedham Road Ardleigh  
**Development:** Proposed replacement of existing garage with new cartlodge & gym over.

### 1. Town / Parish Council

n/a

### 2. Consultation Responses

n/a

### 3. Planning History

98/00603/FUL	Rear two storey extension (part cottage style, part mansard roof)	Approved	10.06.1998
06/01244/FUL	Granny annexe and pool enclosure.	Withdrawn	05.10.2006
18/01273/FUL	Proposed replacement of existing garage with new cartlodge & gym over.	Current	

### 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

HG9 Private Amenity Space

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

HG14 Side Isolation

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

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

### 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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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**

### Site Description

The application site is west facing and outside of any development boundary. The main property is well set back from the road and screened by a high hedge which defines the front boundary and lines the driveway on the south side of the application site. The hedge offers protection which affords the cottage privacy. The cottage itself has been extended over the years; it is finished in painted render under a clay tile gambrel roof. The south side boundary shared with Heathways is fenced while the other boundaries are made up of well-established tree lines. The gravel driveway leads to a pitched roof double garage and large gravel parking area in front of the cottage.

### Description of Proposal

The application proposes the erection of a cart lodge following the demolition of the existing double garage.

The cart lodge will measure a maximum of 9.75 metres in depth, 5.9 metres in width with an overall ridge height of 6.05 metres. The external staircase will project 2.15 metres at the front and be 3.6 metres wide and will lead to the first floor serving a gym. The cart lodge will have a gambrel style roof with 3 roof lights on the northern roof slope. Two small windows will be placed at first floor on the eastern elevation. The cart lodge will have two open bays on the northern side for car parking; the third bay will be enclosed with double doors and used as a workshop. A further ground floor window and door will serve the workshop on the eastern elevation.

### Assessment

The design and appearance, impact on neighbouring properties and residential amenity are the main considerations for this application.

### Design and Appearance

Saved Policy HG12 of the Tendring District Local Plan 2007 permits extensions to an existing dwelling outside of Settlement Development Boundaries however the development must satisfy specific criteria which seeks to protect the rural character of the countryside. The construction of the proposal, which although is located in front of the existing cottage is well screened on all sides and meets the criteria set out in Policy HG12 and it is considered that no significant harm would be caused to the appearance and character of the countryside.

Most of the properties along this stretch of Dedham Road are clearly visible from the road, however Meadow Cottage and its associated outbuildings are set back considerably and screened by mature hedging. The proposed cart lodge may be glimpsed at the end of the long driveway when passing the property but it will certainly not be prominent in the street scene and this spacious plot can easily accommodate this level of development. The cart lodge replaces the existing double garage which has no architectural merit; is rectangular in shape, build of red brick under a concrete corrugated roof with an aluminium up and over garage door. The cart lodge is more in keeping with the character of Meadow Cottage mirroring the gambrel roof. The more traditional appearance of horizontal cladding and hardwood framed timber doors and glazed units will also improve the overall appearance of the new building. The proposed cart lodge is in keeping with the character of the existing cottage and the immediate area. To ensure an acceptable external finish to the cart lodge, the bricks, roof tiles, colour of the cladding and the type of construction and colour of the external staircase will be conditioned for approval at a later date.

#### Impact upon Residential Amenity

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the new development is over 4 metres in height, as in this case. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary. In this case a distance of just under 1 metre has been maintained between the southern side boundary shared with Heathways. This is considered acceptable in this instance due to the siting of the cart lodge which will be set back from Dedham Road at the end of the back garden of Heathways and a distance of over 10 metres from the rear of the house of Heathways.

The external staircase is sited on the western elevation of the cart lodge, which will be clearly visible from the property and garden of Heathways. The staircase is only sufficient for the occupiers to use it for its purpose of accessing the first floor through a single door. There are no windows at first floor on the western elevation and the door shown on the drawings is solid, there are also no openings at ground or first floor level on the southern elevation thereby ensuring there will be no significant impact to this neighbour in terms of overlooking.

A distance of 20 metres exists between the proposed cart lodge and the northern side boundary with St Helens. Due to the distance between the neighbouring properties and their orientation there will be no significant impact caused by the proposal in terms of loss of light, loss of privacy or outlook.

There will be no change to the private amenity space available as the cart lodge is proposed in front of Meadow Cottage. The proposed cart lodge will provide 2 car parking spaces although these do not meet the car parking standards where one space should measure 5.5 metres x 2.9 metres. The gravel driveway in front of the house will remain and therefore sufficient off road car parking remains where a minimum of two cars will be able to park off the road.

#### Other Considerations

No 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 Number 6607-1101-, Drawing Number 6607-1102- and Drawing Number 6607-1201-

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

- 3 No development shall be commenced until precise details of the manufacturer, type and colour of the bricks and roof tiles, the colour of the cladding and the type of construction and colour of the external staircase to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

Reason - The cart lodge is set forward of the main property of Meadow Cottage and as such holds a prominent position where suitable materials are a visually essential requirement.

## 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.

Please note that the cart lodge hereby approved may only be used ancillary to the main dwelling known as Meadow Cottage, Dedham Road, Ardleigh, CO7 7QB. Any separate residential use would require planning permission.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	YES	NO