

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	25/09/2018
Planning Development Manager authorisation:	SCE	25.09.18
Admin checks / despatch completed	ER	27/09/18

Application: 18/01311/FUL **Town / Parish:** St Osyth Parish Council

Applicant: Mr S Wilkins

Address: Rough Heath Cottage Rectory Road Weeley Heath

Development: Proposed addition to cottage.

1. Town / Parish Council

Mr Parish Clerk St Osyth Parish Council No objection.

2. Consultation Responses

N/A

3. Planning History

98/00446/FUL	(Rough Heath, Rectory Road, St Osyth) Stable block for livery and house rescue	Withdrawn	26.10.1998
09/00151/FUL	Erection of single storey extension (to provide annexe).	Refused	21.04.2009
09/00616/FUL	Proposed granny annexe.	Approved	11.08.2009
18/01311/FUL	Proposed addition to cottage.	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

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

SPL3 Sustainable Design

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site comprises of a south east facing demi detached dwelling known as "Rough Heath Cottage." The dwelling is of a render finish with front porch constructed from brick. The host dwelling has previously been extended with a single storey side enlargement also finished in render. The dwelling has a rear and side area of private amenity space which is screened from view by existing planting situated along its south eastern boundary.

Proposal

This application seeks permission for the erection of a single storey side extension.

Since initial receipt the plans have been amended to show that the proposal will incorporate a hipped roof to match the existing side extension and be positioned further back so that it only protrudes forward of the existing extension by 1m.

Assessment

Design and Appearance

The proposal will be sited to the side and therefore will be publicly visible.

Whilst the proposal will be forward of the existing extension by 1m it will still be set back from the original front wall of the host dwelling and will have a single storey design which will reduce its prominence within the streetscene.

The amended hipped roof design and use of matching materials will ensure that the proposal will be inkeeping with the existing dwelling and extension.

The proposal will be set back from the front of the site by 4m and as a result of its single storey design and use of matching materials would not result in a harmful impact to the appearance and character of the dwelling and area.

Saved Policy HG9 states that where a property comprises of three or more bedrooms that a minimum of 100m² of private amenity space should be retained at the site. Upon completion of this

proposal the area of private amenity space will reduce to 92m² and which is contrary to saved policy HG9. Whilst this is under the required amount by only 8m² this area still represents an adequate and usable space. It is therefore considered that the reduction in space is not so significant to refuse planning permission upon.

The site is situated outside the housing settlement limits however as the proposal will be in keeping with the existing character of the dwelling and will not harm the character of the surrounding area the proposal meets Policy HG12 of the Adopted Local Plan 2007.

Impact on Neighbours

The proposal will not result in a harmful impact to the neighbour to the north east as it will be predominantly screened by the host dwelling and sited ample distance away from the boundary.

There are no immediate neighbours to the south west of the site.

Other Considerations

St Osyth Parish Council have no objection to the proposal.
No letters of representation have been received.

Conclusion

In the absence of material harm resulting from the proposed 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: 3A..

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.