

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	27/09/18
Planning Development Manager authorisation:	SCE	27-09-18
Admin checks / despatch completed	XAC	28/09/18

JS

Application: 18/00926/FUL **Town / Parish:** Little Bentley Parish Council

Applicant: Mr Malcolm Robinson

Address: The Oaks Farmhouse Manningtree Road Little Bentley

Development: Demolition of utility and office building at The Oaks Farmhouse, replacement with two storey building and additional conservatory. Removal of existing roof on polo barn, replacement with attic trusses and slate roof to include new storage area at first floor. Demolition of pond barns and replacement with single structure.

1. Town / Parish Council

Little Bentley Parish Council Have not commented on this application

2. Consultation Responses

Not Applicable

3. Planning History

00/01315/FUL	New farm entrance onto Tendring Road, Lt. Bentley	Approved	15.11.2000
06/00326/HRN	Removal of a section of hedgerow for the laying of pipes		21.03.2006
07/00283/FUL	Change of use for land to become a polo club and erection of two portacabins.	Withdrawn	11.05.2007
07/01369/FUL	Change of use for land to become a polo club and siting of mobile club house.	Approved	05.02.2008
08/00418/OUT	Mobile home accommodation for on-site monitoring of very young calves.	Withdrawn	04.04.2008
09/00341/FUL	Erection of farm managers dwelling including farm office and detached cart-lodge, as amended by location plan received on 18th June 2009.		08.07.2009

09/01273/NMA	Reduction from 3 no. chimney stacks approved under p.p. 09/00341/FUL to 2 no. chimney stacks.	Approved	30.12.2009
10/00106/NMA	Changes to the windows on the N.E. elevation. 1) Removal of bay window, replace with shorten sash to allow kitchen units to fit under window. 2) Reduce size of windows either side of chimney. 3) Replace door and small sash on single storey part, with two slightly larger sashes. 4) Increase size of first floor sash.	Approved	05.03.2010
11/00030/AGRIC	Grain store.	Determinati on	09.02.2011
18/00926/FUL	Demolition of utility and office building at The Oaks Farmhouse, replacement with two storey building and additional conservatory. Removal of existing roof on polo barn, replacement with attic trusses and slate roof to include new storage area at first floor. Demolition of pond barns and replacement with single structure.	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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

PPL3 The Rural Landscape

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 Oaks Farmhouse is a two storey detached dwelling located on a spacious plot of land outside of the settlement development boundary of Little Bentley. The application site is accessed via Manningtree Road and comprises of a number of agricultural outbuildings.

History

Planning permission for the erection of a farm managers dwelling including a farm office and detached cart lodge was approved with a legal agreement under planning application 09/00341/FUL.

Proposal

The application seeks planning permission for the demolition of the utility and office building at the Oaks farmhouse and to replace with a two storey extension and conservatory, the removal of the existing roof on the polo barn and replacing this with a slate roof and attic trusses with a first floor storage area to first floor and the demolition of the pond barns to be replaced with a single structure.

This application will be assessed in two sections:

- Two storey extension and conservatory
- Replacement polo barn and replacement pond barn

Two storey extension and conservatory

The two storey side extension will measure 10.8 metres in width, 4.7 metres in depth with an overall height of 7.1 metres.

The conservatory will measure 8.5 metres in width, 4.6 metres in depth with an overall height of 3.3 metres (4.2 metres including the roof lantern).

1. Principle of Development

The proposal involves significant extensions and alterations to a dwelling sited outside of a Settlement Development Boundary. It is acceptable in principle subject to detailed consideration against saved policy HG12, which states the proposed works will be permitted provided it:

(i) is of a size, scale, and height in keeping with the character of the locality and in terms of design and materials would make a positive visual contribution to its setting;

Although the extensions would substantially increase the footprint of the dwelling, the existing property is considered to be small in relation to the plot size. The site could comfortably accommodate extensions of this scale without them appearing cramped or having an adverse impact upon the rural character of the area. Further to this, the site is well screened on all boundaries by mature hedgerows and well-established trees, as well as the proposal being located away from Manningtree Road.

(ii) is well related and in proportion to the original dwelling;
It is accepted that the proposed extensions are significant in terms of their size and therefore the proposals equate to a significant increase to the original dwelling. However that notwithstanding, the plot is of a significant size that can accommodate such a proposal, which will also be well screened, and therefore on balance the identified harm is not significant enough to warrant a reason for refusal.

(ii) it is not visually intrusive on a skyline or in the open character of the surrounding countryside;

The area does not benefit from an open character and there will not be significant loss of views as a result. The site itself as mentioned above is well screened, therefore the proposal is considered that it will not be visually intrusive to the skyline.

(iii) it retains sufficient space around the dwelling to protect its setting, that of any associated small group of rural housing, and the amenity and character of the countryside;

The dwelling would retain good side isolation to its boundaries, thereby preserving the character of the locality.

(iv) would not represent over-development of the site;

Whilst there are a number of proposed works, the site provides parking and amenity space significantly in excess of the local plan requirements. The dwelling would therefore not represent over-development of the plot.

(v) would not be detrimental to highway safety;

As a result of the proposal, the access arrangements to the site will remain unchanged. The application site can accommodate parking for two vehicles measuring 5.5 metres by 2.9 metres in line with Essex Parking Standards. It is therefore considered acceptable in terms of highway safety.

(vi) would not adversely affect adjoining properties or main habitable rooms in terms of privacy, amenities and aspect;

There are neighbouring dwellings to the application site however they are situated a sufficient distance to the site and as a result the proposal will not cause any impact upon neighbouring amenities.

(vii) would not replace an existing permanent dwelling which is capable of reasonable improvement and extension and which makes a positive contribution to local character;

The proposal is for numerous extensions and therefore this criterion is not applicable to this application.

(viii) would not be a replacement for a mobile home, dwelling already demolished or abandoned, or a building not in lawful use as a dwelling house; and

This criterion is met.

(ix) would not exacerbate any existing access, drainage or other problems associated with the site

The proposal is not believed to exacerbate any of the above issues and is therefore acceptable against this criterion.

Replacement polo barn and replacement pond barn

1. Principle of Development

Policy EN1 of the Tendring District Local Plan 2007 states that the quality of the districts landscape and its distinctive local character will be protected and, where possible, enhanced. Any development which would significantly harm the landscape character or quality will not be permitted. Development control will seek in particular to conserve the following natural and man made features which contribute to the local distinctiveness; estuaries and rivers, and the undeveloped coast, skylines and prominent views, including those of ridge tops and plateau edges, the settings and character of settlements and of attractive and/or vernacular buildings within the landscape; historic landscapes and listed parks and gardens, ancient woodlands, and other important woodland, hedgerows and trees, native species of landscape planting and local building materials and the traditional character of protected lanes, other rural lanes, bridleways and footpaths. Where a local landscape is capable of accommodating development, any proposals shall include suitable measures of landscape conservation and enhancement. The sentiments of this policy are carried forward in Policy PPL3 of the Tendring District Local plan 2013-2033 and Beyond Publication Draft June 2017. . The proposed structure adheres to the above policy and therefore the principle of development is acceptable subject to the detailed consideration below.

2. Visual Impact/Design

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed barns will be located towards the rear of the application site and therefore will not be visible from Manningtree Road. Both proposals are considered to be of an agricultural design and both will use materials which are considered to be in keeping with the rural character of the area and the other buildings within The Oaks. The proposals are considered to be an enhancement to the area and due to the scattering of a number of existing buildings within the site, it is considered that the proposals would not significantly harm the open character of the area.

3. Impact to Neighbouring Amenities

The NPPF, at paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Due to the rural nature of the application site there are no immediate neighbouring dwellings that may potentially be impacted upon as a result of the proposed works.

Other Considerations

Little Bentley Parish Council have not commented on this application.

There have been no other letters of representation received.

Conclusion

In the absence of any significant material harm as a result of the proposed development, this application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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: 456 C/1&2, Drawing No. 456 A/2, Drawing No. 456 B/1 and Drawing No. 456 B/2

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

- 3 The external facing and roof materials will match those stated within the planning application form dated 8th June 2018.

Reason - The application site is publicly visible and therefore suitable materials are required in order to maintain the character of the area.

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.

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