

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	02/10/18
Planning Development Manager authorisation:	AA	2/10/18
Admin checks / despatch completed	ER	2/10/18

AP

Application: 18/01210/FUL **Town / Parish:** Weeley Parish Council

Applicant: Mr Mark Roberts

Address: Twycross Clacton Road Weeley Heath

Development: Two story side extension, balcony to rear and new detached garage building.

1. Town / Parish Council

Weeley Parish Council No objection to this application

2. Consultation Responses

Not Applicable

3. Planning History

93/01331/FUL	Extension and alterations	Approved	25.01.1994
04/00234/FUL	Extension and alterations to former Gardener Cottage to create annexe for parents accommodation	Approved	22.05.2004
07/01127/FUL	Replacement cottage	Refused	19.10.2007
08/00226/FUL	Replacement cottage.	Refused	12.05.2008
18/01210/FUL	Two story side extension, balcony to rear and new detached garage building.	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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 application site relates to a large plot of land accessed from a narrow drive off Clacton Road, Weeley Heath. The site is located outside the housing settlement limits. The site is occupied by a large dwelling known as Twycross, this property is set well back from the highway and sited adjacent to the western boundary of the site. The site is very well screened by thick vegetation and tall trees on the two side boundaries and site frontage.

Proposal

The application seeks planning permission for a two storey side extension, balcony to the rear and detached garage building.

The two storey side extension will measure 3.7 metres in width, 4.45 metres in depth with an overall height of 8 metres. The balcony to the rear will measure 4.4 metres in width, 1.2 metres in depth with an overall height of 3.75 metres. The detached garage will measure 9.5 metres in width, 8.5 metres in depth with an overall height of 8 metres.

Assessment

1. Principle of Development

The proposal involves extensions, alterations and a detached garage 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;

The proposals are fairly large however 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 Clacton Road and accessed via a single track.

(ii) is well related and in proportion to the original dwelling;

It is accepted that the proposed extensions are large in terms of scale and therefore the proposal will relate to an 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.

(iii) 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.

(iv) 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.

(v) 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.

(vi) 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. The proposed garage and cart lodge comply with Essex Parking Standards requirements of 7 metres by 3 metres and therefore the proposal is acceptable in terms of highway safety.

(vii) 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.

(viii) 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.

(ix) 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.

(x) 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.

Other Considerations

Weeley Parish Council have no objection to this application.

1 letter of representation has been received stating that they have no objection subject to the shared access being maintained during the construction works.

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: Site Location Maps scale 1:500/1:1250, Proposed Garage/Driveway Scale: 200, Proposed 1st Floor Plan Scale: 1:75, Proposed Front Elevation 1:75, Proposed Ground Floor Plan 1:75, Proposed Rear Elevation 1:75, Proposed Garage Scale 1:75, Proposed Garage Scale 1:75

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.

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