

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	W	11/10/18
Planning Development Manager authorisation:	AN	11/10/18
Admin checks / despatch completed	ER AP	2/10/18

**Application:** 18/01303/FUL **Town / Parish:** Wix Parish Council

**Applicant:** Mr & Mrs Tagg

**Address:** Woodlands Bradfield Road Wix

**Development:** Proposed 'granny annexe' in rear garden.

### 1. Town / Parish Council

**Wix Parish Council** No comments received

### 2. Consultation Responses

n/a

### 3. Planning History

18/01303/FUL Proposed 'granny annexe' in rear garden. 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

Local Planning Guidance

Essex Design Guide

### 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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies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 on the north side of Bradfield Road, in Wix. The site comprises a single storey detached dwelling with accommodation in the loft, a large area of off street parking to the front and long private garden to the rear. The site is outside the development boundary.

### **Proposal**

This application seeks planning permission for a single storey outbuilding, to the rear of the site, to be used as annex accommodation ancillary to the host dwelling. The building will measure 7.05m in depth and width, and have an overall height of 4.6m. The eaves height will be 2.3m.

### **Appraisal**

The main considerations of this application are the principle of development, visual impact, impact on neighbours and private amenity space.

#### **Principle of Development**

The site is outside the Settlement Development Boundary (SDB). Saved policy HG12 states that proposals for an extension to an existing dwelling outside the SDB will be permitted provided that, among other things, the extension is of a size, scale and height in keeping with the character of the locality, is well related and in proportion to the original dwelling, retains sufficient space around the dwelling to protect its setting and would not adversely affect adjoining properties.

It is therefore considered that there is no principle objection to an extension, subject to meeting the above criteria, discussed below.

#### **Visual Impact**

The proposed annex is sited to the rear of the dwelling, and will not be visible from the highway. The proposal has been revised to reduce the overall footprint, which in turn has reduced the bulk of the roof creating a pyramid hip. The building will appear subservient to the main house, and is an appropriate size for an outbuilding - without appearing like a separate dwelling. Due to the size of the back garden, sufficient space is retained around the dwelling to protect its setting, and the design is in keeping with the character of the locality.

### Impact on Neighbours

The proposed building is sited close to the northwest boundary. However, due to its siting in the rear half of the garden, there is separation in excess of 17m between the proposal and neighbouring dwellings. This separation and the proposal's single storey nature will protect residential amenities with regards to daylight and outlook. All openings are at ground floor level, so will not significantly affect neighbouring privacy.

### Private Amenity Space

Policy HG9 of the Local Plan requires that new dwellings with 3 or more bedrooms be provided with at least 100 square meters of private amenity space. Following the erection of the proposal, 650 square metres will be retained in the back garden - which satisfies this policy.

### Other Considerations

Wix Parish Council has made no comment on the application.

The north western neighbour, 1 Twin Bungalows, has objected for the following reasons:

- Concerned that the building would not be used as an annex, but as an independent dwelling/rented separately
  - Any separate use would require planning permission, and a condition will be included ensuring this.
- Would set a precedent for back land development
  - This application is solely for an annexe, not a separate residential dwelling.
- The proposal is too long along the boundary, and will be overbearing.
  - The length of the proposed building as been reduced, minimising the bulk along this boundary.
- Loss of sunlight
  - As the proposal is sited towards the northern end of the site and it is only single storey with a hipped roof, there will not be significant impact on neighbouring daylight.
- Concerns about how the property will be fuelled/heated.
  - As this application is for an annex, not an independent dwelling, all utilities will be taken from the main house.
- Parking provision on the site
  - Adopted standards require two parking spaces for a dwelling of this size. There is adequate off street parking to the front of the dwelling.

### Conclusion

In the absence of material harm as a result of the proposed development, this 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. PP-01-A.

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.

The annex shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 'Woodlands, Bradfield Road, Wix'.

Reason - The site is unsuitable for an independent residential unit which would be out of character with the prevailing form of development.

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