

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	05/10/18
Planning Development Manager authorisation:	AN	15/10/18
Admin checks / despatch completed	SB	15/10/18

AP

Application: 18/01128/FUL **Town / Parish:** Ardleigh Parish Council

Applicant: Mr David Cox

Address: Plains Farm Plains Farm Close Ardleigh

Development: Erection of residential annexe on partial footprint of previously demolished stable block. (Proposed additional window to office to existing approved application 18/00403/FUL).

1. Town / Parish Council

Ardleigh Parish Council No comment.

2. Consultation Responses

ECC Highways Dept The Highway Authority does not object to the proposals as submitted.

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

Building Control and Access Officer No comments at this time.

ECC Highways Dept The Highway Authority does not object to the proposals as submitted.

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

3. Planning History

00/00571/FUL Swimming pool and enclosure Withdrawn 27.02.2001

00/00709/LBC Swimming pool and enclosure. Red brick, black feather edge boarding and glazed link red plain tile roof Withdrawn 27.02.2001

01/00830/FUL Retention of two portacabins used for office accommodation and mess room facilities permitted under TEN/97/1072 for a further five years additional to condition 01. Approved 01.08.2001

01/00831/FUL	Stationing of additional portacabin for office purposes adjacent to existing office buildings	Approved	01.08.2001
02/00437/FUL	Change of use of former timber storage barn to workshop, garage and dispatching, partial external recladding and timber entrance doors	Approved	20.06.2002
02/00438/FUL	Extension/conversion of existing workshop to office for Cox Landscapes Limited	Approved	19.06.2002
96/01109/FUL	(Plains Farm, Ipswich Road, Ardleigh) Change of use from farming to premises and land for horticultural/landscaping contractor including production of fencing.	Approved	12.11.1996
97/01072/FUL	Retention of two portakabins used for office accommodation and mess room facilities	Approved	17.10.1997
99/00143/FUL	Change of use agricultural to landscape contractors use	Refused	05.11.1999
99/00654/LBC	Alterations to windows - painted softwood to replace Crittal metal windows	Approved	26.07.1999
99/01692/FUL	Change of use agricultural to landscape contractors use	Refused	27.01.2000
87/00051/LBC	Erection of 6 det dwelling houses and garages	Approved	14.04.1987
87/01641/LBC	5 New houses with garages and resitting road	Approved	10.11.1987
90/00139/FUL	Two pairs of semi detached houses with integral garages.	Refused	20.03.1990
82/00463/LBC	Change of use of old farm buildings to self contained flats	Refused	15.06.1982
07/01485/FUL	Proposed demolition and replacement of existing outbuilding.	Withdrawn	18.01.2008
08/00668/LBC	Demolition of outbuilding within curtilage of listed building.	Approved	23.06.2008
08/01620/FUL	Change of use of former timber storage barn to workshop, garage and dispatching, partial external recladding and timber entrance doors. Removal of Condition 02 attached to planning permission 02/00437/FUL.	Approved	28.01.2009

08/01621/FUL	Extension / conversion of existing workshop to office. Removal of Condition 02 attached to planning permission 02/00438/FUL.	Approved	28.01.2009
08/01622/FUL	Removal of Condition 03 attached to planning permission TEN/96/1109 for change of use from farming to premises and land for horticultural / landscaping contractor including production of fencing.	Approved	28.01.2009
12/00977/FUL	Replacement outbuilding, following demolition of outbuilding within the curtilage of a listed building.	Withdrawn	14.08.2015
12/01096/LBC	Replacement outbuilding, following demolition of outbuilding within the curtilage of a listed building.	Withdrawn	14.08.2015
18/00403/FUL	Erection of residential annexe on partial footprint of previously demolished stable block.	Approved	27.06.2018
18/00404/LBC	Erection of residential annexe on partial footprint of previously demolished stable block.	Approved	27.06.2018
18/01129/LBC	Erection of residential annexe on partial footprint of previously demolished stable block. (Proposed additional window to office to existing approved application 18/00404/LBC).	Approved	30.08.2018
18/01473/FUL	Removal of condition 4 of 18/00403/FUL - external facing and roofing materials.	Approved	
18/01545/DISCON	Discharge of condition 4 (Materials) to approved planning application 18/00403/FUL and Condition 3 (Materials) to 18/00404/LBC.	Approved	24.09.2018

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

EN1 Landscape Character

EN23 Development Within the Proximity of a Listed Building

HG14 Side Isolation

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

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

PPL3 The Rural Landscape

PPL9 Listed Buildings

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

Site Description

The application site is Plains Farm, Plains Farm Close, Ardleigh. The site contains a Grade II Listed Building to the southern end, with numerous other outbuildings throughout. The immediate character is one of a semi-rural appearance, Whilst the site has an open character, there are numerous buildings throughout giving it a semi-rural feel. Further out to the west sees numerous residential and commercial development; further out to the south and east are large areas of grassed and agricultural land. The site falls outside of a recognised Settlement Development Boundary within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

Proposal

This application seeks planning permission for the reconstruction of a previous stable ~~black~~ and store that was demolished in 1987. The proposed replacement building is to serve as a residential use ancillary to the main dwellinghouse. It will measure 5.6m in height, 20.7m in width and 7.1m in depth, and will be constructed with red brickwork and clay tile.

History

Under planning reference 18/00403/FUL, permission was granted for a very similar proposal that saw the reconstruction of a previously demolished building to serve as a residential use ancillary to the main dwellinghouse.

The only difference between this previously approved scheme and that being applied for within this application is an additional window to the rear courtyard elevation.

Appraisal

Within the granting of Planning Permission previously under planning reference 18/00403/FUL, the impacts of the proposal were summarised as follows:

1. Visual Impact

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 initial plans showed the proposal to be two storeys, with two flat roof dormers to the front elevation. This was considered to be of poor design and unacceptable. Following this, amended plans have been submitted to remove the dormers, reduce the height approximately 0.5m and remove the first floor use.

Following the submission of these amended plans, it is considered that the proposal is of a size and scale typically associated with an annexe, whilst the design incorporates features including barn doors and solidier courses to attempt to tie in with the previous stable use. Subject to a condition to ensure a sample of the materials being used is provided, the annexe is therefore considered to be visually acceptable.

2. Impact upon Neighbours

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).

The nearest neighbouring property is approximately 45m to the west, and therefore there will be a neutral impact to their existing amenities as a result of the proposed annexe.

3. Heritage Impact

Policy EN23 of the Adopted Plan states that development within the proximity of a Listed Building that would adversely affect the setting of a Listed Building, including group value and long distance views, will not be permitted. The sentiments of this policy are carried forward within policy PPL9 of the Emerging Plan.

The proposal is sited within the curtilage of Plains Farm, a Grade II Listed Building. Accordingly the applicant has submitted a Heritage Statement to justify how the proposed works will not adversely affect the Listed Building. It is considered that following the submission of amended plans, the proposal is now more sympathetic in this location, with a traditional design and use of materials that will be in-keeping with the Listed Building. Furthermore, whilst the proposal will be sited close to the Listed Building the site is well set back and main views of the Listed Building will be retained.

Therefore, there is not considered to be significant harm identified to harm the setting of the Listed Building, and the proposal is therefore acceptable against this criteria.

The only additional impact of this application is through the inclusion of one additional window to the rear elevation. However, given its minor nature and that it will be in-keeping with other windows already granted permission, there is not considered to be any identifiable visual harm to the curtilage listed building, and will also result in a neutral impact to neighbouring amenities. Therefore the small amendment is considered acceptable.

Other Considerations

Ardleigh Parish Council has not commented on the application.

There have been no other letters of representation received.

6. Recommendation

Approval.

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 numbers 09 revision A, 10 and 21.

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

- 3 The annexe hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Plains Farm, Plains Farm Close, Ardleigh.

Reason - The site is unsuitable for an additional independent residential unit.

- 4 All materials to be used in the construction of the external surfaces of the building hereby permitted must be in accordance with the details as approved under planning reference 18/01545/DISCON, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure materials are of a very high quality to respect the building and its setting.

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.