

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	21/12/2018
Planning Development Manager authorisation:	SCE	21.12.18
Admin checks / despatch completed	AP	21/19

WHL

Application: 18/01412/FUL **Town / Parish:** Wix Parish Council
Applicant: Mr S Dukes & Miss G Smith
Address: Webbs Cottage Honeypot Lane Stones Green Wix
Development: Proposed erection of detached annexe and single storey extension to dwelling.

1. Town / Parish Council

Wix Parish Council have not commented on this application

2. Consultation Responses

Not Applicable

3. Planning History

92/00383/LBC	(Webbs Cottage, Honeypot Lane, Wix) Reconstruction of chimney stack	Approved	09.06.1992
04/00470/FUL	Two storey rear addition	Approved	21.04.2004
04/00471/LBC	Two storey rear addition	Approved	21.04.2004
06/00142/LBC	Proposed two storey extension to provide a new utility, study, WC and bedroom.	Approved	27.03.2006
06/00143/FUL	Proposed two storey extension to provide a new utility, study, WC and bedroom	Approved	06.04.2006
12/01346/FUL	Installation of a single micro scale wind turbine (14.97m to hub, 5.6 diameter blade).	Approved	31.01.2013

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

EN22 Extensions or Alterations to a Listed Building

EN23 Development Within the Proximity of a Listed Building

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

SPL3 Sustainable Design

PPL9 Listed Buildings

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 is Webbs Cottage, Honeypot Lane, Wix which is a Grade II listed building located outside the settlement development boundary of Wix. The application site is located Planning permission and listed building consent for a two storey extension to provide a new utility, study, WC and bedroom was granted under planning reference 06/00142/LBC and 06/00143/FUL. The listing description is as follows:

Listed Building Reference 8/284. Date Listed 30.11.1987

Cottage. C18. Timber framed and rough rendered, thatched roof, right and left red brick chimney stacks. One storey and attics. Two 2 light small paned casements, central vertically boarded door. Internally the cottage has not been altered for many years. Chamfered bridging joists are visible and vertically boarded doors.

Proposal

The application seeks planning permission for the erection of a single storey extension which will measure 3.25 metres in width, 1 metre in depth with an overall height of 2.5 metres.

The application also seeks planning permission for the erection of a single storey annexe located to the north of the application site. The proposal will measure 12 metres in width, 6 metres in depth with an overall height of 4.5 metres.

Assessment

The main considerations for this application are the principle of development, design and appearance, impact upon neighbouring amenities and heritage impact.

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. The principle is acceptable subject to the proposal complying with the following considerations.

Design and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

There will be views of the proposed single storey extension from Honeypot Lane, however due to the proposal being set back by approximately 29 metres, the single storey nature of the proposal and the use of matching materials to those used within the host dwelling, it is considered that the proposal will not cause any significant impact upon the street scene of Honeypot Lane.

Amended plans have been received demonstrate the relocation of the annexe further to the north east of the site. The proposed annexe is considered to be fairly large in size, however due to the proposal being set back by approximately 55 metres from the highway as well as the annexe being constructed from materials used within the modern addition to the listed building and the existing 2.5 metre hedge which will help to screen the proposal, it is considered that it will not cause any significant impact upon the street scene. The annexe will be restricted to ancillary accommodation by condition as the level of accommodation proposed could amount to a "dwelling" in its own right. Adequate garden area remains for the host property. The development is therefore considered acceptable.

Impact upon neighbouring amenities

There are no neighbours to the north of the application site however there is a neighbouring dwelling to the south, 'Herons'. However the proposed extension is located approximately 26 metres away from the neighbouring boundary and the annexe is located approximately 43 metres to the neighbouring boundary; it is considered that the proposals will not cause any significant impact upon neighbouring amenities.

Heritage Impact

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act imposes a statutory duty on the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest.

Paragraph 196 of the Framework adds that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 189 of the National Planning Policy Framework ("the Framework") requires applicants to describe the significance of any heritage assets affected. This requirement is reflected by saved policy EN23 of the Tendring District Local Plan (2007) and emerging Policy PPL9 of the Tendring District Council Local Plan 2013-2033 and Beyond Publication Draft (June 2017). Both these policies also confirm that development should be of a scale, design and use that respects the listed building and its setting.

The proposed extension would extend out wholly from a more recent addition and not the original listed part of the property and therefore the most important historic fabric and features mentioned in the listing will be retained and not affected by the proposal. The extension is single storey with a flat roof which will be constructed from matching brickwork, white uPVC windows and doors, black uPVC fascia and rain water goods that will be in keeping with the more recent addition of the listed building and is considered acceptable in terms of design and appearance.

The proposed annexe is sited within the curtilage of Webbs Cottage, 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 the use of materials that will be in-keeping with the more recent addition of 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 proposals are therefore acceptable against this criteria.

Other Considerations

Wix Parish Council have not commented on this application.

No letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the development, the 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 and document: Drawing No. 1375A-01 Revision C and Drawing No. 1375A-03 Revision C and Planning Statement dated August 2018 (Amended December 2018).

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 Webbs Cottage, Honeypot Lane, Stones Green, Wix.

Reason - The site is unsuitable for an independent residential unit because of the shared facilities and relationship to the host dwelling.

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.

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