

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	11/01/2019
Planning Development Manager authorisation:	SCE	11.01.19
Admin checks / despatch completed	SB	14/01/19

**Application:** 18/01729/FUL **Town / Parish:** Little Bromley Parish Council

**Applicant:** Mr Mark and Mrs Sarah Dicker

**Address:** Wheatsheaf Cottage Shop Road Little Bromley

**Development:** Double storey rear extension to create an open plan kitchen and dining space on the ground floor and two additional bedrooms on the first floor. The staircase and landing to be re-configured to allow access to the new extension.

### **1. Town / Parish Council**

Little Bromley Parish Council Council has no objection, and actively supports

### **2. Consultation Responses**

Tree & Landscape Officer The site layout plan shows two trees close to the western elevation of the existing dwelling.

The southernmost tree is a Chamaecyparis, that is large but poorly formed and in poor condition. The tree at the north western corner of the dwelling is a mature Oak that is visible above the roof of the dwelling and therefore has reasonable visual amenity value.

Close inspection of the Oak reveals extensive decay in the main stem that has extended into the heartwood of the tree. The defect compromises the long term viability of the tree.

Neither tree merits retention or protection by means of a tree preservation order and their removal is identified on the site layout plan.

There appears to be little scope for, or benefit to be gained from, new soft landscaping

The Ramblers Association No comments received.

Essex Bridleways Association No comments received.

### **3. Planning History**

92/00324/FUL	(Wheatsheaf Public House, Shop Road, Little Bromley) Change of use - public house to domestic dwelling	Approved	11.08.1992
94/01056/FUL	(Wheatsheaf, Shop Road, Little Bromley) Erection of garage and change of use of Pub car park to residential use and reduction in width of public right of way to 2.0m	Approved	11.10.1994
97/00912/FUL	1. Variation to approved planning permission TEN/94/1056 to reposition site of garage and	Approved	07.10.1997

reduce width of public right of way to 2.0m. 2.  
Change of use of land at rear from agricultural to  
garden use

18/01729/FUL	Double storey rear extension to create an open plan kitchen and dining space on the ground floor and two additional bedrooms on the first floor. The staircase and landing to be re-configured to allow access to the new extension.	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

HG14 Side Isolation

EN1 Landscape Character

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 is located to the west of Shop Road, outside the development boundary of Little Bromley. It serves a two storey cottage constructed with feather edge cladding and a clay

and slate tile roof. The property is set back from the road with a long gravel drive and detached double garage located towards the front of the site. The front lawn area is enclosed with a picket fence. The site has a large irregular shaped rear garden, which is laid to lawn and was previously enlarged as a result of an application for change of use to garden land. Hedgerow are located on the boundaries and open fields are beyond. A Public Right of Way runs through and adjacent to the south of the site.

### **Proposal**

The application proposes a two storey rear extension to create additional living space. The extension will be a total of 4m deep at ground floor level and will extend over the existing ground floor rear projection resulting in the extension being 6.3m deep at first floor level, with a maximum width of 7.7m and height of 5.8m. The proposed materials will consist of a mixture of render and cladding. The extension will have a flat roof but tile detailing at the top of the extension will give the appearance of mansard roof.

### **Assessment**

The main considerations of this application are the design and the impact on residential amenity.

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Policy HG12 of the Tendring District Local Plan (2007) seeks to ensure that extensions outside of the development boundary satisfy general design criteria set within the above mentioned policies and amongst other things, development is of a size, scale and height in keeping with the character of the locality, is well related to the original dwelling and would not represent overdevelopment of the site.

Policy HG14 of the Tendring District Local Plan (2007) states that extensions over 4m in height will be required to retain appropriate open space between the dwelling and side boundaries to ensure that new development is appropriate in its setting and does not create a cramped appearance.

### **Design**

The original application consisted of a large box-like two storey extension that was not considered to reflect the character of the existing dwelling and was considered an unacceptable addition. Through amendment to the application the extension has been redesigned to appear less contrived, with a mixture of appropriate materials and design features to blend the development with the host dwelling.

The proposed extension is now considered to be of a design that is in keeping with the host dwelling. Whilst the scale of development is still great the addition is now well related to the main dwelling and due to the large garden size the proposals do not appear cramped within the plot or represent overdevelopment of the site. The extension will be built on the southern side boundary adjacent to the Public Right of Way, whereby failing HG14, but as no neighbours are located on this boundary and the Public Right of Way is bordered with trees and shrubs the development is not considered to cause any adverse impact to the area.

The extension is stepped in from the side elevations of the main dwelling with a small single storey rear projection to break up the rear elevation and add interest. Further, the render at ground floor and cladding at first floor, plus the insertion of additional openings to that originally proposed softens the appearance of the extension. The roof tiles at the top of the extension to give the impression of a mansard roof further assists with establishing the integrity and design of the existing built form in accordance with the above mentioned policies.

The dwelling is well set back from the road and as the development is to the rear of the site there will be no views of the extension from the street resulting in no negative impact upon the street scene. Limited views of the extension will be possible from the Public Right of Way at the south of the site, but existing planting will help to screen the development, and due to the improved design the impact of development is not considered to be significant enough to refuse the application.

#### Impact on Residential Amenity

The existing dwelling is well set back within the site resulting in the front of the dwelling being towards the rear of the neighbouring plot of Freshfields, which is the neighbour to the north and the only neighbour that could potentially be affected by the development. The extension will be located over 10m from the rear boundary this neighbour with the existing utility projection also being located in between. Due to the stepped in nature of the amended design, views of the extension will not be overly prominent from the neighbouring site and the separation between development mean that the extension will not adversely affect the sunlight/daylight currently enjoyed by this neighbour.

The proposed extension will result in the insertion of 1no. first floor window facing towards the neighbouring property. However, the distance that exists between this window and nearby dwellings does not cause concern regarding a loss of privacy or overlooking.

Overall, the proposed development is not considered to cause any significant adverse effect on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

#### Other Considerations

Little Bromley Parish Council had no objection and actively supported the original application. No comments were received relating to the amendments.

One letter of objection was received relating to the original design. Concerns were raised over loss of light and overlooking which would affect the future sale of the property. Whilst property sales are not a material planning consideration the impact on light and outlook are covered in the above officer report. No letters of representation have been received for the amended design.

The Tree and Landscape Officer has been consulted and confirmed that nearby trees to be removed are of little merit and that there would be little benefit for any new soft landscaping.

#### Conclusion

It is considered that the revisions to the proposed development are consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the 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: Drawings entitled 'Plan Amendments 2 Elevations' and 'Plan Amendments 2 Plans' received 11 December 2018 and e-mail confirming materials dated 10 January 2019 20:49:23.

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 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.

<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