DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	05/03/2019
Planning Development Manager authorisation:	SCE	06.03.19
Admin checks / despatch completed	AP	6/3/19

Application: 19/00037/FUL **Town / Parish**: Frating Parish Council

Applicant: Mr R Buck

Address: Thatched Cottage Main Road Frating

Development: Proposed rear dormer to modern rear extension.

1. Town / Parish Council

Frating Parish Council have not commented on this application.

2. Consultation Responses

Not Applicable

3. Planning History

19/00037/FUL	Proposed rear dormer to modern rear extension.	Current	
19/00038/LBC	Proposed rear dormer to modern rear extension.	Approved	05.03.2019

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 Thatched Cottage, Main Road, Frating, a one and a half storey Grade II Listed Building and located outside the settlement development boundary of Frating.

The listing description is as follows:

Cottage. C17/C18 with C20 rear extension and restorations. Timber framed and plastered with some weatherboarding. Thatched roof. Central red brick chimney stack. One storey and attics. 3 window range of C20 small paned casements. C20 gabled porch, vertically boarded door. Through bracing to walls, stop chamfered bridging joists, chamfered storey posts. Halved and bladed top plate scarf.

Proposal

This application seeks planning permission for a rear dormer window to the rear extension serving a bedroom.

Assessment

The main considerations for this application are the design and appearance, impact upon neighbours and the heritage impact.

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.

The proposed dormer is located to the rear of the host dwelling and therefore will not cause any significant impact upon the street scene of Main Road or the character of the area. The dormers will be constructed from render and clay tiles to match the host building which is in keeping with the character of the area. The dormers are considered to be of a size and scale which do not dominate the rear roof slope of the building and therefore will not be harmful to the appearance of the area.

Impact upon Neighbouring Amenities

The proposed dormer is located to the south westerly side of the rear of extension. The dormer window is located approximately 8 metres away from the neighbouring boundary shared with 'Kosi Kot' to the north east. The neighbouring dwelling is set forward of the host dwelling by approximately 7.5 metres which will aid the screening of any views, it is therefore considered that the proposal is not significant enough to warrant a reason for refusal. The dormer will be located approximately 2.5 metres away from the neighbouring dwelling 'Pudners' to the south west. Although the proposal will be visible to the neighbouring dwelling, views will be further to the rear of the neighbouring garden, in an area less likely to be occupied and as a result will not cause any significant impact upon the neighbouring amenity.

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 proposed dormer will be constructed from render, reclaimed clay tiles and black painted timber window frame to match the existing which will be in keeping with the more recent addition of the listed building and is considered acceptable in terms of design and appearance. 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.

Other Considerations

Frating Parish Council have not commented on this application.

No letters of representation have been received.

Conclusion

It is considered that the proposal will not result in any adverse impact on the character, appearance and historic fabric of the listed building. The application is therefore 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. 2140-01, Drawing No. 2140 -03, Drawing No. 2140 -04 and Design and Access Statement and Heritage Impact Assessment Scanned 8th Jan 2019.

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