

## DELEGATED DECISION OFFICER REPORT

| AUTHORISATION                               | INITIALS | DATE       |
|---|----------|------------|
| File completed and officer recommendation:  | LN       | 22/03/2019 |
| Planning Development Manager authorisation: | SCE      | 02 04 19   |
| Admin checks / despatch completed           | EK       | 04/04/19   |

**Application:** 19/00205/FUL **Town / Parish:** Little Bromley Parish Council *the*

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

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

**Development:** Amendment to approved proposal to include a pantry to rear extension, re-positioning of first floor windows and alterations to internal layout.

### 1. Town / Parish Council

Little Bromley Parish Council No comments received.

### 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 benefits 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 reduce width of public right of way to 2.0m. 2. Approved 07.10.1997

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. | Approved | 14.01.2019 |
| 19/00205/FUL | Amendment to approved proposal to include a pantry to rear extension, re-positioning of first floor windows and alterations to internal layout.  | Current  |            |

#### **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

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

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

#### **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 an amendment to approved application 18/01729/FUL to include a pantry extension to the rear of the dwelling, located behind the existing utility area. The pantry extension will be rendered and will measure 2.5m deep by 2.7m wide with a flat roof 3m in height. The application also includes the re-positioning of the first floor windows and alterations to the internal layout. All other parts of the development remain as approved under the original application.

### **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 application seeks an amendment to approved application 18/01729/FUL to include a pantry extension, re-position the first floor windows and alter the internal layout. All other aspects of the development remain as approved under 18/01729/FUL.

The pantry extension is considered to be of a modest scale that sits comfortably with the existing dwelling and the extensions already approved. It will not be visible from the road, resulting in no adverse impact on the street scene. The use of render will match other aspects of the dwelling and the flat roof will be a continuation of the existing utility projection. The site is considered large enough to accommodate this additional extension without the development appearing cramped within the plot.

The re-positioning of the first floor windows will bring the top line of the windows level with the eaves of the mansard roof, as opposed to being above the roof line. This adjustment is considered acceptable as it improves the fenestration arrangement, whilst maintaining the extensions character and appearance.

The alterations to the internal layout of the approved plans will result in the inclusion of an additional bedroom at first floor level, which could intensify parking at the site. The site can easily accommodate parking for 2 no. cars in accordance with the current Parking Standards so there is no objection to the revised layout and the additional bedroom being created.

#### Impact on Residential Amenity

The rear pantry extension will be located a significant distance from the closest neighbour and due to its modest height and with only a small window located on the rear elevation facing the garden area and open fields, this amendment to approved application 18/01729/FUL is not considered to cause any adverse impact. Further, the re-positioning of the windows result in the windows being lowered not relocated to another part of the extension, so there is not considered to be any additional concerns regarding loss of privacy or overlooking from that which was assessed in the original application.

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

#### Other Considerations

Little Bromley Parish Council have not submitted any comments on this application.

No letters of objection have been received.

The Tree and Landscape Officer has been consulted and confirmed that the trees to be removed do not merit retention or protection by a Tree Preservation Order and 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: Plan 2 Block Plan, Plan showing Proposed Floor Plans and Elevations received 6 March 2019 and e-mail confirming materials received under application 18/01729/FUL 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 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.

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