

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	31.5.19
Planning Development Manager authorisation:	AN	3/6/19
Admin checks / despatch completed	an	4/6/19
	SB	04/06/19.

Application: 19/00640/FUL **Town / Parish:** Beaumont Parish Council

Applicant: Mr & Mrs Wilkins

Address: Elm Farm Swan Road Beaumont

Development: Conversion of garage/office for use as a residential annexe and a single storey side extension.

1. Town / Parish Council

No comments received

2. Consultation Responses

No consultation Required

3. Planning History

97/00581/FUL	Dormer windows and bedroom	Approved	13.06.1997
03/02449/OUT	3 x four bedroom detached houses	Refused	09.02.2004
17/00219/LUEX	Use of barn as self-contained independent dwelling.		21.07.2017
19/00640/FUL	Conversion of garage/office for use as a residential annexe and a single storey side extension.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

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

Tendring District Local Plan 2007

Local Planning Guidance

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

SPL3 Sustainable Design

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 property is an early/mid 20th century chalet bungalow in a rural location outside the settlement boundary. The main dwelling is a light-coloured render with an interlocking clay tiled-roof. To the left of the main dwelling is a detached outbuilding, constructed in around 1996; this outbuilding is the subject of the application. It is of breeze-block construction, rendered externally with an interlocking clay tiled roof to match the main dwelling. At the time of the site visit it was being used for domestic storage.

Description of Proposal

This application firstly seeks to enlarge the building with a single storey side extension to the north elevation and secondly to use the outbuilding as annex accommodation.

Appraisal

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. The dwelling is located outside the settlement boundary. Policy HG12 requires that 'Proposals for an extension to an existing dwelling outside the defined development boundaries of settlements will be permitted provided that the extension or replacement satisfies the general design criteria set out in Policies QL9 and QL10'. In addition, the proposal must:-

- be of a size, scale and height and in keeping with the character of the locality
- its design and materials would make a positive visual contribution to its setting
- be well related and in proportion to the original dwelling
- not be visually intrusive on a skyline or in the open character of the surrounding countryside
- retain sufficient space around the dwelling to protect its and the amenity and character of the countryside
- not represent over-development of the site or be detrimental to highway safety
- not adversely affect adjoining properties or main habitable rooms in terms of privacy, amenities and aspect
- not exacerbate any existing access, drainage or other problems associated with the site.

The proposed extension would replace an existing shed; it would be 3m wide and occupy the full depth of the outbuilding. It would have a dual-pitched roof of the same pitch as the existing roof, with an eaves height of 2.4m and an overall ridge height of 3.9m.

Design & Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 17 is to always seek to secure high quality design.

Saved Policies QL9, QL10 and QL11 of the Saved Plan aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The extension would be virtually indistinguishable in the streetscene due to its low-key scale and the presence of dense planting along the front boundary. Externally the heavy, imposing functional doors would be replaced with domestic windows and a greater proportion of render. The proposed materials would be in-keeping with the host building, further ensuring its acceptability in design terms.

Impact to Neighbouring Amenities

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).

There is no significant additional risk of loss of privacy, daylight or harm to the amenities of any of the adjacent neighbours from the proposed extensions due to their single storey nature.

Parking

Essex County Parking Standards state that for a dwelling of two or more bedrooms, two parking spaces shall be provided at measurements of 5.5m x 2.9m, or 7m x 3m if a garage is used as a space. There is ample parking provision on the existing hardstanding at the front of the property.

Other Issues

The Town & Country Planning Act, Part III, Section 55 (1) defines the term 'development' as "the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land". Section 55 (2) states under paragraph (d) that "the use of any buildings or other land within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse as such" shall not be taken for the purposes of this Act to involving development of the land". For this reason; changing a domestic storage building comprising a garage with attached home office to an annex is not considered to amount to operational development, for which an express grant of planning permission is required.

Paragraph 55 of the NPPF states that "Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects". As such imposing a condition in regards to the controlling the occupation of the building is not (i) not necessary and (ii) unreasonable as use of the building as a separate unit of accommodation would need permission is its own right.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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.

- The development hereby permitted shall be carried out in accordance with the following approved plans: WEF-01, Revision A, received 23rd April 2019.

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

8. Informatives

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.

The hereby extended building shall only be used ancillary to the residential use of the dwelling 'Elm Farm'. Any independent residential use of this building would require planning permission.

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO