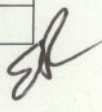


## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	30/05/2019
Planning Development Manager authorisation:	SCE	06.06.19
Admin checks / despatch completed	<i>ER</i>	07/06/19.



**Application:** 19/00445/FUL **Town / Parish:** Bradfield Parish Council  
**Applicant:** Mrs Kirsty Thomas-Unger  
**Address:** Farm View Heath Road Bradfield  
**Development:** Conversion of garage to granny annexe and first floor extension (to garage).

**1. Town / Parish Council**

Bradfield Parish Council No Comments

**2. Consultation Responses**

Not Applicable

**3. Planning History**

02/02152/FUL	Two storey rear extension re-roof existing, internal alteration	Approved	23.12.2002
08/01506/FUL	Erection of rear conservatory.	Approved	12.12.2008
15/01678/FUL	First floor rear extension.	Approved	22.12.2015
19/00445/FUL	Conversion of garage to granny annexe and first floor extension (to garage).	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  
HG9 Private Amenity Space  
TR1A Development Affecting Highways  
TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)  
SPL3 Sustainable Design

Local Planning Guidance

### **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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)**

### **Application Site**

The application site comprises of a west facing two storey detached dwelling which is set back from its front boundary. The main house has recently received planning approval for a rear extension under reference 15/01678/FUL. Sited to the rear is a large garden with garage which is publicly visible from Heath Road.

### **Proposal**

This application seeks planning permission to convert and extend the garage to form a granny annexe.

Upon initial receipt of the application the plans showed that the outbuilding would have a first floor window to the front which would serve the bathroom. This window looked directly into the neighbours rear elevation resulting significant loss of privacy to this neighbour. After negotiations with the agent this window has since been reduced to a high level window and a new roof light has been added to the side.

### **Assessment**

#### **Design and Appearance**

The existing garage is publicly visible from the front of the site meaning that the proposed alterations and extensions will also appear publicly within Heath Road. Whilst the increase in height and provision of the extension and new openings will be noticeable changes within the streetscene the outbuilding is set back from the front of the site by 28m which will prevent the additions from appearing prominently within the streetscene and preventing it from having a harmful impact to the appearance of the area.

The existing site is of a large enough size to accommodate the proposal without it appearing cramped within the streetscene as well as ensuring that an appropriate amount of private amenity space is retained.

The design of the proposal is appropriate to the existing house incorporating a similar roof design to the approved extension and incorporating the use of render to match the existing house and outbuilding.

The upper half of the proposal will be finished in black marley cedar composite cladding which will differ from the main house. As a result of the proposals ample set back from the front of the site and partial screening by way of the existing house the use of this material would not result in a harmful impact to the overall appearance or character of the dwelling or streetscene.

Once completed the proposal will be used as extra living accommodation in ancillary to the main house. Should the outbuilding be used as a separate dwelling entirely then planning permission will be required for this. An informative has been placed upon the permission reflecting this.

#### Highway Safety

The proposed conversion of the garage will result in a loss of parking at the site however as the house is set back on its plot there is sufficient space to the front of the site to accommodate the parking of two vehicles in line with the Essex County Council Parking Standards. The proposal will therefore not result in a harmful impact in terms of highway safety.

#### Impact to Neighbours

The proposal will be visible to the neighbour to the south east known as "Meadway" however will be positioned sufficient distance away from this neighbours boundary and would not result in a loss of light or outlook to this neighbour.

The proposal does include roof lights along the side elevation and a large rearward facing opening. These openings will result in overlooking to the neighbouring site however as a result of the outbuildings distance away from the boundary and siting of the openings they would only receive limited views and therefore the loss of privacy is not so significant to refuse planning permission upon.

Sited to the north west is a two storey detached dwelling known as "Heatherfields." The existing garage is visible to this neighbour and therefore the proposed alterations will be as well. As a result of the outbuildings new height it will result in an impact to this neighbours residential amenities.

The proposal will result in a loss of light to this neighbouring property and therefore the sunlight/daylight calculations specified within the Essex Design Guide have been used against the proposal. The 45 degree line in plan would intercept this neighbours closest rearward facing opening where as in elevation would only just intercept the neighbouring house. It is therefore considered that the loss of light in this instance is not so significant to refuse planning permission upon. It is also noted that the roof of the proposal has been designed to hip away from this neighbour to further reduce the loss of light.

The proposal will be visible over the existing boundary fencing and will result in a loss of outlook to this neighbour. The existing garage measures 4.2m in height and is set off of the boundary by 1m. As a result of its current height the existing outbuilding already results in a loss of outlook to this neighbour. The proposal will have a height of 5.8m which will result in a additional loss of outlook. It is also noted that the design of the roof of the proposal will be hipped away from this neighbour to lessen its impact. It is therefore considered that the loss of outlook in this instance is no so significant to justifying refusing planning permission.

The introduction of a large opening to the rear elevation will allow overlooking to this neighbours rear garden. This neighbour is already overlooked by the host dwelling and any views achieved from this rear opening will only be towards the rear of this neighbours garden and not its immediate private amenity space. The use of a window here is therefore considered acceptable.

The proposal also includes a new front window which will have direct views into the neighbours rear private amenity space immediately to the rear of the dwelling. Since initial receipt the plans has been amended to reduce this window to reduce overlooking to this neighbour. The permission will also contain a condition stating that the this window should remain as obscure glazed to reduce the impact on this neighbour further. It is also noted that the host dwelling has clear views from its first floor extensions into this neighbours private amenity space and therefore as a result of the above the loss of privacy in this instance is not so significant to refuse planning permission upon.

#### Other Considerations

Bradfield Parish Council has not commented on the application.  
No further letters of representation have been received.

#### Conclusion

In the absence of material harm resulting from the proposed 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: Drawing No. 19/04/01 C.

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

3. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the window to the first floor front elevation serving the bathroom shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

### **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.

Please note that the annexe may only be occupied as ancillary accommodation to the main dwelling, known as Farm View Heath Road, Bradfield, Manningtree, Essex, CO11 2XD Any separate residential use would require planning permission.