

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	12.06.19
Planning Development Manager authorisation:	SCE	14.06.19
Admin checks / despatch completed	SB	17/06/19

**Application:** 19/00656/FUL **Town / Parish:** Wix Parish Council  
**Applicant:** Mr Shaun Hudson  
**Address:** Sunnyside Bradfield Road Wix  
**Development:** New stand-alone workshop/sun room to rear of back garden.

### 1. Town / Parish Council

No comments received

### 2. Consultation Responses

No comments received

### 3. Planning History

93/00063/FUL	(Sunnyside, Bradfield Road, Wix) Retention of extension to existing first floor living accommodation including extension to existing dormer windows	Approved	05.03.1993
04/01199/FUL	Proposed rear extension to dormer window and conversion of existing garage	Approved	10.08.2004
19/00656/FUL	New stand-alone workshop/sun room to rear of back garden.	Current	

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

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

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

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 property is a detached mid-20<sup>th</sup> Century chalet bungalow. Development in the locale was constructed at a similar time and typically comprises one pocket of similarly-sized bungalows and another pocket of two-storey dwellings. In regards to the bungalows, three benefit from forward-facing dormers of varying designs and scale; externally the main walls of the bungalows are self-coloured render and most have an interlocking clay-tiled roof. The application site benefits from an enlargement to the front elevation, forward of the building line. The wider local is rural and the properties benefit from open uninterrupted views of extensive farmland to the rear.

### **Description of Proposal**

The application seeks planning permission for a detached outbuilding. The scale of the proposed outbuilding was subsequently reduced from that received 24<sup>th</sup> April.



The amended outbuilding would be sited in the rearmost north-east corner of the rear garden, and inset from the boundary with 'The Hollies' by around 1m and around 2.5m from the rear boundary. Unlike the scale of the initial building proposed; the amended scheme proposes a structure within an overall ridge height of around 4m with eaves in the region of 2.2m. The 'front' of the building would face towards Kanchrapara and the rear of the building has three rooflights – the underside of which would be in excess of 2.5m above the internally finished floor level. Internally the building is labelled as proposing two domestic uses (a sun room and a workshop). Externally the building would primarily be clad in timber above a brickwork plinth and have a concrete-tile roof.

### Principle

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:-

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

The amended scale of the proposed outbuilding would be of a scale entirely appropriate to a residential garden, it would relate well and be proportionate to the size of the individual garden. It's siting and height/overall scale is such that it would not be visually intrusive to the open character and surrounding countryside. In regards to the privacy, amenities and aspect of neighbouring properties; the amended design of the outbuilding omits the proposed external staircase and, sited at the rearmost boundary the proposal is located sufficiently far away from their amenity areas.

### Design and 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 130 is to always seek to secure high quality design.

Saved Policies QL9, QL10 and QL11 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 height, width, design and external materials of the proposed outbuilding would respect the character of the host dwelling and wider streetscene in general.

### Impact on Neighbours Amenities

The NPPF, at paragraph 127 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 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'.

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 outbuilding due to its siting and single storey nature.

#### Highway Issues

The proposal would not generate any additional need for parking nor does it decrease the existing level of parking the site can accommodate.

### **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 plan: 221/PL/01 revision A, 221/PL/02 revision A and 221/PL/03 revision A.

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 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?</b>		NO
<b>Are there any third parties to be informed of the decision?</b>		NO