

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

PPL2 Coastal Protection Belt

PPL1 Development and Flood Risk

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 of a scale and external appearance typical to those sited within a Plotland Area; these numerous plots of land were laid out and sold for holiday homes during the inter-war years. Many of these plots remain undeveloped, but others contain a variety of development ranging from holiday caravans to permanently constructed dwellings. The plot occupies a prominent corner location at the junction of two roads, it is of an irregular shape with the dwelling siting relatively centrally; its front elevation faces south and within eye range a number of dwellings of similar scale have extensions to the front.

Description of Proposal

The application proposes a simple, modest front porch and replacing/raising the main 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.

Although the proposed works are both to the roof and situated to the front of the host dwelling they are of a sufficiently subservient nature in terms of scale and massing. The extension and replacement roof would be well-related and in proportion to the original dwelling and are considered to have an acceptable impact on the wider character of the area.

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.

Given the scale, siting and design of the proposed enlargements they would not cause material harm to the character and appearance of the surrounding area.

Flooding

The property is located within Flood Zone 3. A householder flood risk form and flood risk mitigation measures have been submitted with the application in accordance with the Environment Agency's standing advice.

Plotland

The proposal constitutes an extension to a dwelling in an area of Plotland Development, as defined in Policy HG20 of the Saved Plan, in such areas these policies oppose extensions to existing dwellings, due to the effect they can have on residential amenity and living conditions in the vicinity. In regards to the replacement, enlarged roof, it is considered that the character of the existing property and that of the wider area would not be significantly altered or be significantly harmed. Existing development at No. 75 (within 20m of the site) and No. 73 (planning permission granted in 2006) at 33m hold significant weight as material considerations in this case.

Notwithstanding this, the orientation and siting of the dwelling, in conjunction with the footprint of the proposed porch being marginally in excess of that permissible under Schedule 2, Part 1, Class D (porches) are such that an insufficient objection can be raised in this regard.

Coastal Protection Belt

Saved Policy EN3 of the Tendring District Local Plan 2007 confirms that the purpose of the Coastal Protection Belt is to protect the unique and irreplaceable character of the Essex coastline from inappropriate forms of development. Emerging Policy PPL2 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) goes on to say that the undeveloped coast of Tendring District has an important role in terms of quality of life for residents and visitors, not only in terms of visual amenity but in terms of access to the natural environment.

The proposal will not have a substantial impact on the Coastal Protection Belt as it is considered a minor addition to the front of the property and a minor increase of 1m to the ridge height on a modest sized bungalow thereby still protects the coastal views and open character of the local landscape.

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'.

Due to the orientation of the existing dwelling, the enlargements proposed would not result in any adverse impact on the amenities of neighbouring residents in terms of having a damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

Highway Issues

The property benefits from two off-street parking spaces, the proposal neither increases nor decreases the existing level of parking.

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: 01; REVISION A and Householder Flood Risk Assessment received 05 August 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.

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