

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	20/09/2019
Planning Development Manager authorisation:	TF	20/09/2019
Admin checks / despatch completed	<i>ML</i>	20/09/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	<i>SB</i>	20/09/19

Application: 19/00806/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr Dean Dwyer

Address: 9 Primrose Road Holland On Sea Clacton On Sea

Development: Replace existing shed roof with Mansard style roof.

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

N/A

3. Planning History

93/00364/FUL	Replacement garage	Approved	05.05.1993
05/01146/FUL	Brick and timber workshop for domestic woodwork activities.	Current	07.07.2005
06/01376/FUL	Demolition of existing porch and replacement.	Approved	26.10.2006
19/00806/FUL	Replace existing shed roof with Mansard style roof.	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

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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 located inside the development boundary of Holland on Sea. It is situated on a corner plot to the west of Primrose Road, with Canterbury Road located to the south. The site serves a detached two storey dwelling constructed of render with a tile roof. The front of the site is enclosed with a picket fence with the rear of the site, on the boundary with Canterbury Road, enclosed by a 1.8-2m close boarded fence. The rear of the site is laid to lawn with a patio area and outbuildings. An electricity substation is situated halfway along the southern boundary of the site, giving the site an irregular shape.

Proposal

The application proposes replacing an existing shed roof with a Mansard style roof. The existing shed has a shallow pitched roof with maximum height of 2.5m. The proposed development would result in the roof increasing to 3.5m in height. The proposed roofing materials would consist of Western Red Cedar Shingles, with the gable ends being clad to match the existing shed walls.

Assessment

The main considerations of this application are the design, impact on visual amenity and residential amenity.

Policy Considerations

The National Planning Policy Framework attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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.

Design and Impact on Visual Amenity

The shed subject to this application is located on the southern boundary of the site. The existing roof has a modest, shallow pitch and is partially visible above the close boarded boundary fencing from various vantage points in Canterbury Road. The roof alteration to change the shallow pitch roof to a mansard roof would result in an increased roof height of 1m, giving a maximum height of 3.5m. The choice of a mansard roof would also result in an increase to the size of the gable ends. Combined with the increased height this would give rise to a bulky, highly prominent building on the boundary of the site, directly adjacent to the footpath. The alterations would not be screened by the boundary fence; they would be visible above the fence line, and would be a highly prominent feature within the street scene to the detriment of the visual amenity of the area. The use of Western Red Cedar Shingles as the proposed roof material will also make the development appear as a prominent feature within the street scene, which is considered inappropriate in its setting.

Throughout the course of the application these concerns were expressed to the applicant, and revisions were suggested that would perhaps be considered more acceptable, i.e. extending the footprint of the shed rather than increasing the height. No amendments to this affect were received.

Overall, the development is considered to be an unacceptable addition to a currently modest outbuilding and due to the corner plot position of the application site the development would have a significant adverse impact on the street scene and the visual amenity of the area.

Impact on Residential Amenity

The footprint of the existing shed is not increasing; therefore, it will continue to be located approximately 4m from the neighbour closest to the development at No. 23 Canterbury Road. No windows are proposed facing this neighbour and the development is to serve a shed, not a habitable area. Although the increased roof height and altered design will result in a bulkier, more dominant appearance due to the nature of development, position within the site and proximity to neighbouring boundaries the development is not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

Other Considerations

No letters of representation have been received.

Conclusion

For the reasons set out above relating to the design and visual amenity of the area the development is considered contrary to the aims and aspirations of the aforementioned local and national policies and is therefore recommended for refusal.

6. Recommendation

Refusal - Full

7. Reasons for Refusal

- 1 The National Planning Policy Framework attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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environment and protects or enhances local character. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

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Overall, the development is considered to be an unacceptable addition to a currently modest outbuilding and due to the corner plot position of the application site the development would have an adverse impact on the street scene and the visual amenity of the area, contrary to the aims and aspirations of the aforementioned local and national policies.

8. **Informatives**

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

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