

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	16 th Sept 2019
Planning Development Manager authorisation:	TF	03/10/19
Admin checks / despatch completed	SB	04/10/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	EXC	04/10/19

Application: 19/01185/FUL **Town / Parish:** Wix Parish Council
Applicant: Mr and Mrs Gibbons
Address: Hickory Cottage Oakley Road Wix
Development: Proposed garage conversion, rear extension, link extension to kitchen, new balcony and new cartlodge.

1. Town / Parish Council

No comments received

2. Consultation Responses

No comments received

3. Planning History

02/01657/FUL	Extension and new vehicular access.	Approved	02.10.2002
06/00641/FUL	New garage and link with bedroom over.	Refused	16.06.2006
16/30336/PREAPP	Proposed 2 No. detached dwelling with associated garages.	Refused	16.01.2017
19/01185/FUL	Proposed garage conversion, rear extension, link extension to kitchen, new balcony and new cartlodge.	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

HG14 Side Isolation

EN23 Development Within the Proximity of a Listed Building

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

SPL1 Managing Growth

SP1 Presumption in Favour of Sustainable Development

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

PPL9 Listed Buildings

Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

This application relates to a site outside of the main housing settlement for Wix. The site itself is on the south side of Oakley Road at the end of a fairly isolated small ribbon of scattered dwellings. Its location is rural in nature along a relatively narrow country road, with no street lighting and no footpaths. The site faces onto and adjacent to open countryside. Along the side and rear boundaries of the site is mature trees and hedgerows which add to the amenity value of the locality and screening the site to some extent. The property was converted from a bungalow to a chalet bungalow in the late 1970's and the garage was constructed in 2006.

Description of Proposal

The application relates to five elements:-

- Conversion of the garage to habitable accommodation comprising a dining room
- A single-storey extension to the rear of the garage
- A single-storey extension linking the main dwelling to the garage
- A first floor suspended balcony to the south elevation adjacent the east side of the dwelling
- New detached cartlodge in the open garden at the front of the dwelling adjacent the east boundary

The conversion of the garage does not amount to operational development under Section 55 of the Town & Country Planning Act 1990 as it relates to internal alterations only and there are no conditions attached to application 02/01657/FUL that would control its conversion.

The extension to the rear of the garage would be 6m deep and 6.5m to match the existing garage. It would have a dual pitched roof which runs perpendicular to the existing ridge of the garage. The extension would have a ridge height and eaves of a height which matches that of the existing garage and be finished externally in brick and render to match the main dwelling.

The link extension would in-fill the small area between an original flank elevation and the garage referred to above (currently delineated by a forward-facing garden wall). The extension would have a nominal footprint and have a ridge that would tie-in to the existing dual-pitched roof.

A first floor balcony, supported on piers is proposed to the rear right hand side of the dwelling. The balcony would project 2m and the platform would be at a level of 2.6m. A pair of full-height patio doors would be inserted to the first floor rear gable would allow access on to the balcony.

The cartlodge would be sited at the front, left hand boundary of the property – flank-on but set back by around 4m to the road. The cartlodge would be 4m to the ridge and 2.4m to eaves; it would have a feature gable to the west (driveway) elevation, a small log-store to the north (road) elevation, an external staircase to the south (garden) elevation and a dormer to the east (rear) elevation. The cartlodge has three parking bays, two of which are open and one enclosed; there is limited head height for much of the first floor and it is assumed that this will be used for storage.

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 extensions proposed are of a size, scale and height which is in keeping with the character of the wider area; further they are in proportion to the dwelling. The extensions are not primarily to the

rear of the dwelling and are not visually intrusive on the open character of the surrounding countryside, retaining sufficient space around the dwelling to protect its and the amenity and character of the countryside.

The cartlodge, whilst set forward of the main dwelling, would not be out of place in the streetscene due to the variations of the siting of other dwellings in the immediate locale.

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 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 siting and scale of the extensions are entirely appropriate additions which, being constructed in materials which would match the main dwelling, would not harm the character of the dwelling nor wider streetscene in general. The featheredge boarding is an entirely appropriate finish for a rustic cartlodge.

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).

The siting and scale of the proposals would not result in a significant additional risk of loss of privacy, daylight or harm to the amenities of any of the adjacent neighbours.

Highway Issues

The proposed development decreases the existing parking provision at the site through the conversion of the garage, but proposed a car-port. Ample surface space exists on the forecourt to more than adequately accommodate the minimum parking provision.

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 plans: 313GBN 001 Revision A, 313GBN 002 Revision B and 313GBN 004 Revision B, received 7th August 2019 and 313GBN 003 Revision C received 30th September.

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

- 3 The Cartlodge shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Hickory Cottage.

Reason - The site is unsuitable for an independent residential unit because it is located outside of the Settlement Boundary and a new dwelling would need to be determined on its own merits.

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