

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	20/12/19
Planning Development Manager authorisation:	TF	24/12/19
Admin checks / despatch completed	CC	02/01/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	JNL	02/01/20

**Application:** 19/01670/FUL **Town / Parish:** Thorrington Parish Council

**Applicant:** Mr and Mrs Beckwith

**Address:** Glebe Farm Clacton Road Thorrington

**Development:** Variation of condition 02 (Approved Plan) of planning permission 19/00885/FUL.

### 1. Town / Parish Council

Thorrington Parish Council                      Not commented on this application

### 2. Consultation Responses

ECC Highways Dept                      The Highway Authority does not object to the proposals as submitted.

Informative 1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

### 3. Planning History

00/01951/FUL	Conservatory extension	Approved	19.12.2000
05/01157/FUL	Extension.	Approved	26.09.2005
17/01709/FUL	Proposed one new dwelling with garage and associated driveway, hard and soft landscaping.	Refused	07.03.2018
19/00885/FUL	Proposed replacement five bedroom detached dwelling (following demolition of existing dwelling).	Approved	23.08.2019

### 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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

EN1 Landscape Character

EN3 Coastal Protection Belt

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

PPL2 Coastal Protection Belt

PPL3 The Rural Landscape

Local Planning Guidance

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### **Site Description**

The application site refers to Glebe Farm, Clacton Road, Thorrington, a two and a half storey dwelling located outside the settlement development boundary of Thorrington.

Planning permission was granted under planning reference 19/00885/FUL for a replacement five bed dwelling (following the demolition of the existing dwelling).

### Proposal

The application seeks to vary condition 2 (Approved Plans) of planning permission 19/00885/FUL. The application seeks to erect a single storey extension to accommodate an annexe.

### Assessment

The Principle of the development, Design and Appearance, Residential Amenities, Access and Parking, Landscaping, Coastal Protection Belt were all considered and approved under application 19/00885/FUL.

The proposed single storey extension serving an annexe will affect the appearance and the impact upon residential amenities of the development only and therefore forming the material consideration relevant to the assessment of this application together with any representations received as set out above.

#### 1. Design and Appearance

Saved Policies QL9, QL10 and QL11 of the adopted Tendring District Local Plan (2007) 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. These sentiments are carried forward within Policy SPL3 of the emerging Local Plan.

The proposed annexe will be located to the front of the host dwelling however due to the significant distance from Clacton Road, it is considered that the proposal will not cause any impact upon the street scene. The annexe will be single storey with a hipped roof and linked to the host dwelling by a dual pitched single storey extension. There is an existing cart lodge located opposite to the proposal which will create a symmetrical appearance to the front of the application site as well as the proposal being constructed from materials that will match those used within the host dwelling. It is therefore considered that the proposal is acceptable in terms of design and appearance.

#### 2. Impact upon neighbouring amenities

There is sufficient distance to the neighbouring dwellings which front Clacton Road to ensure that there would not be any loss of amenity to residents.

### Representations

Thorrington Parish Council have not commented on this application.

No letters of representation have been received.

## **6. Recommendation**

Approval - Full

## **7. Conditions**

- 1 The development hereby permitted shall be begun before 23 August 2022.

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:

19/00885/FUL:

Drawing numbers 24387SE-01, the Arboricultural Impact Assessment dated 25th May 2019, and the Arboricultural Impact Assessment Appendix.

19/1670/FUL:

Drawing numbers 01B, 02B, 08N, 09J, 10J and 15D.

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

- 3 The proposed annexe hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Glebe Farm, Clacton Road, Thorrington.

Reason - The site is unsuitable for an independent residential unit because of the shared facilities and relationship to the host dwelling.

- 4 Prior to the commencement of any above ground works, a scheme of hard and soft landscaping works for the site shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction.

Reason - To enhance the visual impact of the proposed works.

- 5 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason -To enhance the visual impact of the proposed works.

- 6 Prior to occupation of the development a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

- 7 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

- 8 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the footway / cycleway or where no provision of footway/cycleway is present, the carriageway.

Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent footway/cycleway/carriageway in the interest of highway safety.

- 9 The public's rights and ease of passage over public footpath / bridleway / byway no. 182\_12 (Thorrington) shall be maintained free and unobstructed at all times.

Reason: To ensure the continued safe passage of the public on the definitive right of way and accessibility.

## **8. Informatives**

### Positive and Proactive Statement

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.