

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	16 th Jan 2020
Planning Development Manager authorisation:	AN	16/1/20
Admin checks / despatch completed	<i>CC</i>	<i>17/01/2020</i>
Technician Final Checks/ Scanned / LC Notified / UU Emails:	<i>Line</i>	<i>17/01/2020</i>

Application: 19/01607/FUL **Town / Parish:** Ramsey & Parkeston Parish Council

Applicant: Mr Brian Thomas

Address: Cherries The Street Ramsey

Development: Swimming pool including associated raised decking, fencing, plant equipment shed, and retracting canopy over pool.

1. Town / Parish Council

Mrs Lin Keating The view of the Ramsey & Parkeston Parish Council is No Objection

2. Consultation Responses

None received

3. Planning History

04/02057/OUT	Proposed detached bungalow	Refused	09.12.2004
15/00827/FUL	Proposed new bungalow in front garden.	Approved	24.08.2015
19/00837/FUL	Proposed rear and side extensions and alterations to the roof to create new first floor.	Approved	09.08.2019
19/00924/LUPROP	Proposed siting of a caravan within the residential curtilage of the existing property known as Cherries for purposes incidental to the dwelling.		16.08.2019
19/01393/LUPROP	Proposed siting of a caravan within the residential curtilage of the existing property known as Cherries for purposes incidental to the dwelling and new fencing to replace existing garden gates.		12.11.2019
19/01423/LUPROP	Proposed siting of a caravan within		18.11.2019

the residential curtilage of the existing property known as Cherries for residential uses as part of existing dwelling and new fencing to replace existing garden gates.

19/01607/FUL Swimming pool including associated raised decking, fencing, plant equipment shed, and retracting canopy over pool. Current

19/01836/FUL Proposed single storey rear and side extensions. 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

EN17 Conservation Areas

EN23 Development Within the Proximity of a Listed Building

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

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

PPL8 Conservation Areas

PPL9 Listed Buildings

Local Planning Guidance

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

The application site is located to the north of The Street, accessed via an unmade road, outside the development boundary of Ramsey. It serves a detached bungalow constructed of brickwork, hanging tiles located on the front gable and a tiled roof. Attached to the west of the dwelling is a flat roof projection and an irregular shaped conservatory towards the rear elevation. The site is a large plot with a paved frontage and a large rear garden which is laid to lawn and consists of pathways, mature planting, landscaping and outbuildings. The site is set across different levels, with the dwelling located slightly lower than the rest of the site. It is located adjacent to the Ramsey Conservation Area. The Ramsey Windmill, a grade II* listed building, is located to the north west of the site. The neighbour to the west of the application dwelling and the new build dwelling located to the south are both bungalows. The remaining site boundaries are shared with open countryside.

Description of Proposal

The application proposes five separate elements all associated with one main project. The development comprises a sunken swimming pool having a retractable cover and raised decking surrounded by perimeter fencing; separate to this would be a timber garden shed to house the pool-plant and equipment.

Principle of Development

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 proposed retractable pool canopy and fencing would not exceed 1.3m high above ground level. To the South side of the pool the decking will be raised slightly by up to a maximum of 0.45m to allow for the decking to be level whilst the ground below slopes. The proposed plant room is a small garden shed which is to be positioned to the rear of an existing summer house. Due to the natural screening to most boundaries, the proposed siting and nominal heights of the proposed structures, the development not be visually intrusive on a skyline or in the open character of the surrounding countryside and would be well related and in proportion to the original dwelling which would retain sufficient space around the dwelling to protect its and the amenity and character of the countryside.

Assessment

The main considerations of this application are the design, impact on the adjacent conservation area and listed building, and the impact on residential amenity.

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.

Overall the development proposed is of a very modest nature in regards to heights and whilst it is proposed to use relatively modern materials (metal-mesh fencing, composite decking boards and a plastic/vinyl based pool cover) these are also modest in their use and entirely appropriate within the site and its surroundings.

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).

Due to separation distances to neighbouring properties, in conjunction with the modest scale of the development proposed there is no significant additional risk of loss of privacy, daylight or harm to the amenities of any of the adjacent neighbours.

Design and Impact on the Adjacent Conservation Area and Listed Building:-

The western boundary of the application site is located adjacent to the Ramsey Conservation Area and the Ramsey Windmill, a Grade II* Listed Building. A Heritage Statement has been submitted alongside the application.

Policy EN17 states that development will be refused for development located outside a Conservation Area if it would prejudice the setting and surroundings of a Conservation Area or harm the inward or outward views. Policy PPL8 of the emerging Plan carries forward these sentiments.

The site is located over 60m from the main street so there will be no views of the development from The Street, resulting in no adverse impact on the street scene.

Policy EN23 states that proposals for development that would adversely affect the setting of a listed Building, including group value and long distance views will not be permitted. Policy PPL9 also conveys this view.

With regards to the listed building the statement refers to the property being "largely screened from the mill by mature trees and hedging" and states that the proposal will not have "any material impact on the designated heritage asset. It is agreed that the proposed development is situated far enough away from the conservation area and listed building, with adequate existing screening in place so as not to have any adverse impact on either assets.

Highway Issues:-

There is sufficient parking available at the site for at least 2 no. cars, in line with current parking standards. There is no objection to the level of off street parking available at the site and the development is considered acceptable in this regard.

Other Considerations

Ramsey & Parkeston Parish Council has no objection to the application.

No letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the application is recommended for approval.

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:- CHCO125HW-SW1.3A, CHCO125HW-SW1.3B, CHCO125HW-SW1.3C received 29th October 2019 and Example Of Proposed Mesh Fencing, Example Of Proposed Pool Cover, received 24th October 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