

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	03/02/2020
Planning Development Manager authorisation:	AN	3/2/20
Admin checks / despatch completed	RW	3/2/20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	3/2/2020

Application: 19/00963/FUL **Town / Parish:** St Osyth Parish Council

Applicant: Mr & Mrs Fitzpatrick

Address: Chapel Cottage Heath Road St Osyth

Development: Proposed extension and alterations.

1. Town / Parish Council

St Osyth Parish Council No objections.

2. Consultation Responses

Essex County Council
Heritage

It had been originally thought that Chapel Cottage was the nineteenth century structure which is shown on historic maps.

During the site inspection the property owner informed us that the building was completely reconstructed in approximately 2000. Whilst there appears to be no planning history to support this, the fabric of the existing building suggests that the building has been reconstructed. As such the heritage significance is largely removed and the previously highlighted constraints are no longer considered to be as sensitive.

I recommend the proposals, in the existing application, are revised (perhaps along the lines of the revisions discussed on site) to improve the massing and form, particularly in the context of the setting of adjacent Hartleywood Farm, which itself can be considered a heritage asset.

3. Planning History

91/00831/FUL	Proposed stable block.	Approved	03.11.1992
03/01581/FUL	Conversion of detached garage to form additional accommodation.	Approved	08.10.2003
05/01557/FUL	Extend stables with additional seven stables for livery use, ancillary buildings and menage.	Approved	01.12.2005
90/00211/FUL	Proposed dwelling on site of mission church and change of use of farmland to residential curtilage of proposal.	Refused	20.03.1990

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

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

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 (including Site Description and Proposal)

Site Description

The application site refers to Chapel Cottage, Heath Road, St Osyth which is a one and a half storey dwelling located outside of the settlement boundary of St Osyth.

Proposal

This application seeks planning permission for extensions and alterations which include;

- A side extension to the front elevation comprising of a bathroom, hallway and snug. The proposed bathroom and hallway element will measure 5.9 metres in depth, 3 metres in width with an overall height of 4.4 metres. The proposed snug and hallway will measure 5 metres in width, 6.9 metres in depth with an overall height of 5.4 metres.
- A rear extension to the middle section of the dwelling to accommodate a dining room, living room with a bedroom, dressing room and en-suite. The proposal will measure 5.8 metres in depth, 9.6 metres in width with an overall height of 6.5 metres.

Assessment

1. Principle of Development

The proposal involves significant extensions and alterations to a dwelling sited outside of a Settlement Development Boundary. It is acceptable in principle subject to detailed consideration against saved policy HG12, which states the proposed works will be permitted provided it:

- (i) is of a size, scale, and height in keeping with the character of the locality and in terms of design and materials would make a positive visual contribution to its setting;

The character of the surrounding area is typically rural, with detached dwellings located on both the northern and southern side of Heath Road. The application site is situated between Lower Heath Farm to the east and the stables at Chapel Cottage to the west. Although the extensions would increase the footprint of the dwelling, the existing property is considered to be small in relation to the plot size. The site could comfortably accommodate extensions of this scale without them appearing cramped or having an adverse impact upon the rural character of the area. Although the proposed extension to the front will be visible to Heath Road, due to its single storey nature as well as materials that will complement the host dwelling, the design and appearance is considered acceptable. The proposed one and a half storey extension will be located to the south of the dwelling with some views of the proposal from the front of the application site and views from the east and west. However, as the proposed snug would be situated approximately 2.6 metres away from the highway as well as the proposed single storey extension to the front which will help to screen the proposal, it is considered the extension will not cause any significant impact upon Heath Road. In terms of design, the proposal will be of a traditional appearance, the snug would be constructed from white render with slate roof tiles. The rear extension will be constructed of white render, timber weatherboarding and red plain tiles to match the existing. It is considered to be in keeping with the character of the area.

As such the development would be well-proportioned and would consist of materials that are suitably sympathetic to the rural character of the area. It is therefore, considered that the redevelopment of this site would, on balance, not result in overriding harm to the rural character of the surrounding area.

- (ii) is well related and in proportion to the original dwelling;

It is accepted that the proposed extensions are significant in terms of their size and therefore the proposals equate to a significant increase to the original dwelling. However that notwithstanding, the plot is of a significant size that can accommodate such a proposal, and due to the height and scale of the proposals on balance the identified harm is not significant enough to warrant a reason for refusal.

- (iii) it is not visually intrusive on a skyline or in the open character of the surrounding countryside;

Although part of the extension is proposed to the east of the site, the proposal is single storey with a dual pitched roof and it retains the open character of the area with views beyond the proposal. The proposal is therefore not visually intrusive to the skyline.

- (iv) it retains sufficient space around the dwelling to protect its setting, that of any associated small group of rural housing, and the amenity and character of the countryside;

The dwelling would retain good side isolation to its boundaries, thereby preserving the character of the locality.

- (v) would not represent over-development of the site;

Whilst there are a number of proposed works, the site provides parking and amenity space significantly in excess of the local plan requirements. The dwelling would therefore not represent over-development of the plot.

- (vi) would not be detrimental to highway safety;

As a result of the proposal, the access arrangements to the site will remain unchanged. The application site can accommodate parking for two vehicles measuring 5.5 metres by 2.9 metres in line with Essex Parking Standards.

- (vii) would not adversely affect adjoining properties or main habitable rooms in terms of privacy, amenities and aspect;

The only neighbouring dwelling is to the east 'Lower Heath Farm' which is located approximately 95 metres. It is therefore considered that the proposed extensions will not cause any significant impact upon neighbouring amenities.

- (viii) would not replace an existing permanent dwelling which is capable of reasonable improvement and extension and which makes a positive contribution to local character;

The proposal is for extensions and therefore this criterion is not applicable to this application.

- (ix) would not be a replacement for a mobile home, dwelling already demolished or abandoned, or a building not in lawful use as a dwelling house; and

This criterion is met.

- (x) would not exacerbate any existing access, drainage or other problems associated with the site.

The proposal is not believed to exacerbate any of the above issues and is therefore acceptable against this criterion.

Having regard to the criteria of HG12 set out above, the replacement of the existing dwelling with the proposal is acceptable.

Heritage Impact

The Historic Environment Manager has been consulted on this application and has stated that; 'It had been originally thought that Chapel Cottage was the nineteenth century structure which is shown on historic maps. However, during the site inspection the property owner informed us that the building was completely reconstructed in approximately 2000. As such the heritage significance is largely removed and the previously highlighted constraints are no longer considered to be as sensitive'. It is therefore considered that the proposed extensions will not cause any heritage impact.

Other Considerations

St Osyth Parish Council have no objections to this application.

There have been no other letters of representation received.

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:

0547_A_DD_06D,
0547_A_DD_07D,
0547_A_DD_08D,
0547_A_DD_09E,
0547_A_DD_10D.
0547_A_DD_11D.

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

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO