

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	28/01/2020
Planning Development Manager authorisation:	TF	04/02/2020
Admin checks / despatch completed	CD	04/02/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	SOB	04/02/2020

Application: 19/01870/FUL **Town / Parish:** Weeley Parish Council

Applicant: Mr Lyndon Jones

Address: Lynden Glen Gutteridge Hall Lane Weeley

Development: Proposed side extension to form an annexe, including pitched roof and flat roof dormers following demolition of garage.

1. Town / Parish Council

Mrs Nicola Baker

Weeley Parish Council objects to this application. This proposal constitutes backland development and effectively forms a new dwelling unit with no discernible link to the existing house.

2. Consultation Responses

N/A

3. Planning History

15/30028/PREAPP	Two/ Three bedroom bungalow.	Refused	26.02.2015
15/30029/PREAPP	Raising of roof height to facilitate loft conversion, including full width rear dormer and 2no. rooflights to front elevation.	Refused	17.03.2015
15/00725/FUL	Proposed new roof and dormers to create first floor accommodation.	Approved	03.07.2015
15/00959/FUL	Residential development of 1 detached bungalow with associated parking, landscaping and ancillary works.	Refused	07.08.2015
19/01870/FUL	Proposed side extension to form an annexe, including pitched roof and flat roof dormers following demolition of garage.	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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks permission for the erection of a side extension to form an annexe, including a pitched roof and flat roof dormers, following the demolition of the existing garage.

Amended plans have since been received correcting the proposed floor plans to show the proposed dormer as separate to the existing dormer.

Application site

The application site is located to the south of Gutteridge Hall Lane, it serves a 1.5 storey dwelling with a pitched roof, including pitched roof dormers. The dwelling is constructed from brickwork and cladding. The front of the dwelling is laid to lawn with a stone driveway and detached garage to the west. The rear of the property is laid to lawn with a patio area, two outbuildings and a garden shed.

Assessment

Design and Appearance

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 proposed side extension will measure approximately 3.7m wide, 11.9m deep with an overall height of 6.1m. It is considered that the site can accommodate an extension of this size and still provide adequate private amenity space.

The proposed extension will be constructed from brickwork to match that of the existing dwelling, the roof will be part flat and part pitched finished in Redland roof tiles to match those of the existing dwelling. The windows and doors will be white UPVC to match the existing.

The proposed extension will be visible to the streetscene, however, it is set back from the highway and it is considered that the size of the extension is appropriate to that of the existing dwelling. As it will be constructed from matching materials it is thought to cause no adverse effects on the visual amenities of the area.

The proposed roof dormer will be located to the rear of the dwelling, it will measure approximately 3.4m wide, 2.7m deep with an overall height of approximately 2.5m. The dormer will be constructed from materials to match those of the existing dormer, the external walls will be weatherboard cladding, it has a flat roof constructed from GRP Fibreglass and the windows and doors will be white UPVC.

The site is situated outside the housing settlement limits, however as the proposal is in keeping with the existing character of the dwelling and surrounding area the proposal meets policy HG12 of the Adopted Local Plan 2007.

Impact on neighbouring amenities

The NPPF, 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 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 proposal creates no significant additional risks of loss of privacy, daylight or harm to the amenities of the adjacent neighbours.

Other considerations

Weeley Parish Council have objected to the development on the grounds that the proposal constitutes backland development and effectively forms a new dwelling unit with no discernible link to the existing house.

There have been no other letters of representation.

Conclusion

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

6. Recommendation

Approval - Full

7. Conditions / Reasons for ~~Refusal~~

APPROVAL

- 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; Drawing No. 01 Rev. A.

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

- 3 The annexe shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 'Lynden Glen' Gutteridge Hall Lane Weeley.

Reason – The site of the permission is outside any area where planning permission would normally be forthcoming for residential development not directly related to a clearly and specifically identified exceptional need related to a recognised countryside activity.

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
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Are there any third parties to be informed of the decision?
If so, please specify:

YES

NO