



TENDRING DISTRICT COUNCIL

Planning Services

Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex CO16 9AJ

AGENT: Zoe Manning
143 Connaught Avenue
Frinton On Sea
Essex CO13 9AB

APPLICANT: Mr M Speck
Little Clacton Lodge Farms
Hilvic
Lodge Road
Little Clacton
Clacton On Sea
Essex
CO16 9QD

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 19/01619/FUL

DATE REGISTERED: 25th October 2019

Proposed Development and Location of Land:

Proposed Extension.
Hilvic Lodge Road Little Clacton Clacton On Sea

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY REFUSE PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted for the following reason(s)

- 1 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. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Saved Policy HG12 of the Tendring District Local Plan 2007 permits extensions to an existing dwelling outside of Settlement Development Boundaries however the development must satisfy the general criteria set out in Policies QL9 and QL10 and, in addition, that 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 and is well related and in proportion to the original dwelling.

The National Planning Policy Framework 2018 (NPPF) attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Paragraph 127 states that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and are sympathetic to local character and history including the surrounding built environment and landscaping setting. Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Furthermore, the Essex Design Guide (2005) offers detailed guidance on what is acceptable design in relation to dormers. It states that they should be a minor incident in the roof plane and not over-dominant in their composition. Their purpose should be to light the roof space not gain extra headroom over any great width and they should not be located close to verges or hips.

The side extension is considered to be of a poor design that overwhelms the original character and appearance of the detached bungalow. In its current form the detached bungalow of Hilvic with its hipped roof sits well adjacent to the agricultural land and offers a sympathetic end point to the cluster of development surrounding the farm. However the proposed works, notably the excessive width, height and bulk of the proposed extension with a rear flat roof dormer and main roof which forms a gable facing north does not appear as a subservient addition to the bungalow. The extension does not relate well and is not proportionate to the existing dwelling. The ridge height is just 0.2 metres lower than the existing ridge height and although the tiles will match the existing roof the expanse of the roof when viewed from the front of the property will be vast only broken up by three small roof lights. A token hip on the northern elevation aims to mirror the hipped roof of the existing dwelling but fails to contribute positively to the design of the extension.

The scale of the rear flat roof dormer along with the render finish of the dormer cheeks would be highly visible and would result in an incongruous form of development that would result in serious harm to the character of the existing dwelling and the immediate area. The large dormer window positioned highly within the roof slope, close to the ridge is considered poor in design terms and only exacerbates the over-dominance of the roof.

For the reasons set out above, the poor design and scale of the proposed extension and use of incompatible materials on the rear flat roof dormer together with the over-dominant nature of the roof will result in an unacceptable and unduly prominent form of development to the serious detriment of visual amenity and the character of the area. The proposal is therefore contrary to the aims and aspirations of the afore-mentioned policies and guidance.

DATED: 27th February 2020

SIGNED:



Catherine Bicknell
Head of Planning

IMPORTANT INFORMATION :-

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

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

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

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

PPL3 The Rural Landscape

Local Planning Guidance

Essex Design Guide

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

The attached notes explain the rights of appeal.

NOTES FOR GUIDANCE

WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within the set time frame as outlined below:
 - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

ENFORCEMENT

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.