

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JD	24/07/2020
Planning Development Manager authorisation:	SCE	24.07.2020
Admin checks / despatch completed	CC	27.07.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	27.07.2020

**Application:** 20/00672/FUL **Town / Parish:** Ardleigh Parish Council

**Applicant:** Mr & Mrs Watts

**Address:** Broomfield, Crown Lane North, Ardleigh

**Development:** Proposed cart lodge (revision to approved cart lodge on application 14/01101/FUL).

### **1. Town / Parish Council**

Ms Clerk to Ardleigh  
Parish Council  
20.07.2020

The Parish Council does not object to this application as permission is already in place.

### **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.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO1 – Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester, CO4 9YQ

### **3. Planning History**

14/01101/FUL

Two storey extension to front & single storey bay windows to dining room & snug. Two storey rear extensions and Internal re-ordering to form enlarged entrance hall with amended stair design. Proposed new cartlodge.

Approved 30.09.2014

14/01615/LUPRO P	Conversion and adaptation of existing garage to provide domestic Annex including structural alterations, repairs re-cladding and roofing works.	11.12.2014
20/00672/FUL	Proposed cart lodge (revision to approved cart lodge on application 14/01101/FUL).	Current

#### **4. Relevant Policies / Government Guidance**

*NPPF National Planning Policy Framework February 2019*

*NPPG National Planning Practice Guidance*

*Tendring District Local Plan 2007*

QL9 Design of New Development

QL11 Environmental Impacts and Compatibility of Uses

*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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities 'Garden Communities' proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector's advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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 site is that of a house and its curtilage on the southern side of Crown Lane North. The house is on a large plot which is screened from the road by mature trees and other vegetation. To the rear of the site is a paddock area.

The site is in a rural location, outside any defined Settlement Development Boundary. This part of Crown Lane North is a Protected Lane.

### Proposal

The proposal is for design changes to a cart lodge. The cart lodge has planning permission as an element to changes to the property which also proposed a two-storey extension to both the front and the rear of the house, 14/01101/FUL. Aerial photography indicates that the two-storey rear extension has been constructed but that the cart lodge has not been erected.

The essential change between the cart lodge as approved and the cart lodge as now proposed is that first floor accommodation would be provided within an altered, enlarged roof. Previously a hipped roof was proposed. It is now proposed that the cart lodge would have a gable roof with two front dormers, two dormers on the eastern elevation. Roof lights would be set on the eastern and the western elevations. The northern elevation would have a high level gable window. A balcony and external staircase would be set on the southern side elevation. A pair of full height glazed doors would give access onto the balcony.

The cart lodge as now proposed would have a maximum height to the ridge of some 6.1m. The cart lodge was previously proposed to have a maximum height of some 5.5m.

The first floor would accommodate a home gym/play room, a home office and a shower-room.

The ground floor of the cart lodge would consist of three open bays to park three cars.

### Appraisal

Given that the site is so well screened from view from Crown Lane North and that there is no public right of way in proximity to the site, the issues with this application are considered to be whether there would be any material adverse impact to any neighbour and the quality of the proposed design.

Policy QL11 states that all new development should be compatible with surrounding land uses and minimise any adverse environmental impacts. Development will only be permitted if a number of criteria are met including that the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

The application property has two neighbours; Vine Cottage to the west and Orchard Cottage to the east.

Two roof lights would look in the direction of Vine Cottage but aerial photography shows an extensive screen of mature vegetation on the far side of the boundary with Vine Cottage. Furthermore there would be a distance of some 30m between the roof lights and the rear elevation of Vine Cottage. It is considered that there would be no material adverse impact to the privacy of the occupiers of Vine Cottage as a result of the first floor accommodation of the cart lodge.

Two dormers and two roof lights would look in the direction of Orchard Cottage but across the width of the plot of the application property. If any view of the curtilage of Orchard Cottage were to be possible, it would be of the driveway in front of Orchard Cottage. There appears to be a screen of vegetation on the boundary. The dormers would be set a distance of some 50m from the boundary with Orchard Cottage. It is considered that there would be no material adverse impact to the privacy of the occupiers of Orchard Cottage as a result of the first floor accommodation of the cart lodge.

The balcony on the southern side of the cart lodge would look toward Ardleigh reservoir. Aerial photography shows vegetation on the boundary between the application property and Vine Cottage. Furthermore the scale of the grounds to the properties creates isolation distances such that it is envisaged that the balcony would not create any material loss of privacy. The built form of the house on the property would provide a screen to Orchard Cottage.

The proposal is acceptable with regard to Policy QL11.

Due to the size of plots of the application property and its neighbours, there would be no loss of sunlight, outlook or other amenity to neighbours.

The appearance of the cart lodge as now proposed would be acceptable. The proposal is acceptable with regard to Policy QL9.

Letters were sent to occupiers of two neighbouring properties. No reply has been received in response. The Parish Council has written to say it does not object to this application as permission is already in place.

## **6. Recommendation**

Approval.

## **7. Conditions / Reasons for 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: 20.02-01, 20.02-02, 20.02-03 and Planning Statement.

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 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.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	YES	NO