

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	28 <sup>th</sup> July 2020
Planning Development Manager authorisation:	AN	30/07/2020
Admin checks / despatch completed	CC	31.07.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	31.07.2020

**Application:** 20/00649/FUL **Town / Parish:** Beaumont Parish Council

**Applicant:** Mr & Mrs Sanderson

**Address:** Elm Farm Swan Road Beaumont

**Development:** Alterations, extension and detached garage.

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

No comments received.

### **2. Consultation Responses**

ECC Highways Dept      Due to COVID-19 restrictions, a site visit was not undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material, google earth photo dated April 2010. It appears the site has ample parking and turning within the extent of the site allowing vehicles to still enter and leave in forward gear should these proposals receive the necessary planning permission, therefore the Highway Authority does not object to the proposals as submitted.

### **3. Planning History**

97/00581/FUL	Dormer windows and bedroom	Approved	13.06.1997
03/02449/OUT	3 x four bedroom detached houses	Refused	09.02.2004
17/00219/LUEX	Use of barn as self contained independent dwelling.	Granted	21.07.2017
19/00640/FUL	Conversion of garage/office for use as a residential annexe and a single storey side extension.	Approved	04.06.2019
20/00649/FUL	Alterations, extension and detached garage.	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

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

Local Planning Guidance

Essex Design Guide

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, 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**

### Site Description

The application site is a circa 1950's detached chalet bungalow which sits roughly centrally within its plot. The adjacent parcel of land is within the same ownership as the application site as such the nearest neighbours are in excess of 250metres to the north and south-west.

### Description of Proposal

The application proposes extensions to the rear of the dwelling and the construction of a detached garage forward of the main elevation. The rear extension is L-shaped in its form and is single-storey with a converted loft space, with usable head-height achieved by the provision of 2+1 side-facing dormers. The rear extension comprises two parts; the wider (and shallower) part of the extension would be finished with a flat roof with an overall height of 2.9m and the resultant floorspace would provide a utility and shower room. The main extension would project 6.8m from the original rear elevation and be 8.3m at its widest, reducing to 6.2m after the step – the resultant floorspace would provide a large kitchen/diner. The roof is gabled, having an eaves in the region of 2.8m and a ridge of 6.7m. Two dormers are proposed to the south roofslope and one to the north; all three dormers have their ridges well below the main ridge and this resultant floorspace provides a master-bedroom.

The detached double garage would be sited towards the front right hand side (southern boundary) of the property's large parking area and inset from the south boundary by around 2.8m and the west (front) boundary by around 3m. The garage is relatively simple in its form, having a depth of 6m and a width of 6.8m; its eaves would be at around 2.1m with a ridge of approximately 4.5m.

The original plans have been the subject of amendments; these amendments comprise the redesign/resiting of the dormers in order that their ridges mirrored each other and a reduction in height and footprint of the detached garage from a triple-bay down to a double-bay.

### Principle

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.

Whilst the proposed additions appear on the large size, the two neighbours (Millstone Farm and Maple Cottage) have too been extended in equally large manners; as such the proposal would be of a size, scale and height which would be in keeping with the character of the locality. The design and proposed materials would reflect those of the original dwelling and there make a positive visual contribution to its setting. Primarily located to the rear, the proposal not be visually intrusive on a skyline or on the open character of the surrounding countryside and retain sufficient space around the dwelling to protect its and the amenity. Separation distances to occupiers of adjacent dwelling are significant and the proposal would not therefore adversely affect adjoining properties or main habitable rooms in terms of privacy, amenities and aspect.

### 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.

Whilst the proposed additions appear on the large size, the two neighbours (Millstone Farm and Maple Cottage) have too been extended in equally large manners; as such the proposal relates well to its site and surroundings particularly in relation to its form and design and, due to the significant separation distances to the neighbours, it would not have a materially damaging impact on the amenities of occupiers of nearby properties.

### Impact to Neighbouring Amenities

The NPPF, at paragraph 127 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).

Separation distances to the adjacent neighbours exceed 250m; the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

## Highway Issues

Paragraph 108 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. Saved Policy QL10 of the adopted Tendring District Local Plan 2007 states that planning permission will only be granted, if amongst other things, access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate. These objectives are supported by emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The site has ample parking and turning within the extent of the site which allows vehicles to still enter and leave in forward gear.

## **6. Recommendation**

Approval – Full

## **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:- SEF-01, revision F - received 21st July 2020.

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.

All individual garages should have a minimum internal measurement of 7m x 3m to encourage the use of garages for their intended purpose.

On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

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

<b>Are there any letters to be sent to applicant / agent with the decision?</b>		NO
<b>Are there any third parties to be informed of the decision?</b>		NO