

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	10 th August
Planning Development Manager authorisation:	AN	10/08/2020
Admin checks / despatch completed	DB	10.08.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	10.08.2020

Application: 20/00643/FUL **Town / Parish:** Wrabness Parish Council

Applicant: Mrs Jilly Dennell

Address: Hut 50 West Foreshore Wrabness

Development: Rebuild of existing hut in a similar style and character.

1. Town / Parish Council

Wrabness Parish Council
29.07.2020

No objection to the application

2. Consultation Responses

Suffolk Coastal Heaths
Project
13.07.2020

We do not have any objection in principle to Hut 50 being replaced with a new hut, but we do have concerns about the amount of fenestration being proposed in the current application.

We object to the proposal to install 6 new Velux windows into the roof which we consider gives it a much stronger residential character. As proposed the replacement hut has more and larger window and door openings than the existing hut. We consider these should let sufficient light into the replacement hut without the need for the additional proposed Velux windows. None of the existing beach huts along the frontage at Wrabness have roof windows therefore we are keen to avoid setting a precedent for this type of modification as huts gets refurbished/improved in the future. We also object to the addition of the Velux windows as these increase the potential for light spillage into this tranquil part of the AONB. This is not supported by objectives in the Suffolk Coast & Heaths AONB Management Plan 2018-2023, which is a material planning consideration for proposals within this area.

Finally, we note that the roof will be replaced by a coloured profiled metal roof. We welcome that the roof will be dark in colour and not a light coloured reflective metallic finish. The use of dark profiled metal is necessary to avoid glare in the AONB.

We recommend that the Velux widows are removed from the proposal and request that this response is treated as a holding objection.

We would like to be reconsulted on any revised scheme for this site.

Following a reconsultation revised comments were submitted which state the following:-

Thank you for re-consulting the AONB team on the revised drawings for the above application.

I am emailing to confirm that we are satisfied with the amendments to the replacement hut shown in drawing 1353-005.

We have no further issues to raise regarding this scheme.

3. Planning History

93/00438/FUL	(Hut 50, Wrabness Foreshore, Wrabness) Reconstruction of rear of hut on existing base, and alteration of roof construction	Approved	08.06.1993
20/00643/FUL	Rebuild of existing hut in a similar style and character.	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

HG20 Plotland Development - Replacement Dwellings and Extensions to Existing Dwellings

EN3 Coastal Protection Belt

EN5 Areas of Outstanding Natural Beauty (AONB's)

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

PPL2 Coastal Protection Belt

PPL3 The Rural Landscape

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

No 50 is one of the original huts dating back to the 1920's and still remains to its original plan form and volume from these early days. The hut is currently clad in timber with a dual-pitched, felt covered roof. Its footprint is a little over 3m wide and a depth just under 9m – this excludes the small rear projection (currently containing the w.c.) and the L-shaped elevated decking which has a floor space a little over 7sqm.

Description of Proposal

The application proposes replacing the existing hut with one having the same footprint but constructed using modern external materials.

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.

The proposal is for all intents a like-for-like replacement in regards to size, scale and height; little objection can be raised in this regards.

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.

The proposal is, for all intents, a like-for-like replacement. The proposed replacement hut has a much more aesthetically pleasing appearance is considered to contribute positively to the area.

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).

The replaced hut is of the same overall height but does have additional window openings; notwithstanding this the huts are not permanent units of residence. The development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

Plotland

At Wrabness, there are a large number of chalets and a number of these are very small. This attractive part of the Stour Estuary is particularly isolated from services. Therefore, any new development in this locality is particularly sensitive. To ensure that the impact of new development is limited, the Council will restrict the increase in volume of holiday dwellings (with occupancy conditions or that are not lawfully considered to be a permanently occupied dwelling) at Wrabness will be limited in size to a like-for-like volume and floor area and permitted development rights for subsequent addition will normally be removed by condition. The proposal is for replacement development in an area of Plotland Development, as defined in Policy HG20 of the Saved Plan, in such areas replacement of lawful, holiday dwellings will be permitted on a like-for-like floor area and volume basis.

The proposed development is on a like-for-like floor area and volume basis in accordance with the policy.

Coastal Protection Belt

Saved Policy EN3 of the Tendring District Local Plan 2007 confirms that the purpose of the Coastal Protection Belt is to protect the unique and irreplaceable character of the Essex coastline from inappropriate forms of development. Emerging Policy PPL2 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) goes on to say that the undeveloped coast of Tendring District has an important role in terms of quality of life for residents and visitors, not only in terms of visual amenity but in terms of access to the natural environment.

The proposed development is on a like-for-like floor area and volume basis.

Suffolk Coast and Heaths Area of Outstanding Natural Beauty

The 1949 National Parks and Access to the Countryside Act provides for the designation of Areas of Outstanding Natural Beauty (AONBs). These areas are precious landscapes whose distinctive character and natural beauty are so outstanding that it is in the nation's interest to legally safeguard them based upon special policies for controlling development and encouraging proper land management.

The newly adopted Suffolk Coast and Heaths AONB is considered to be of comparable quality and character to the existing AONB by virtue of the following attributes:- rural character with steep wooded and agricultural slopes enclosing and containing the open water, saltings and mudflats of the estuary; tranquil and predominantly undeveloped character extending to the water's edge; views to and across the open water of the estuary and forming a distinctive backdrop for views from the open water and the northern estuary slopes in Suffolk; estuarine and intertidal habitats forming a part of the Stour Estuary Special Protection Area (SPA) of international importance for wading birds and wildfowl.

When considering planning applications that will impact on the Suffolk Coast and Heaths AONB, the Council will have particular regard to the primary objective of designation is conservation of the natural beauty of the landscape.

The proposed development is on a like-for-like floor area and volume basis. As initially submitted, concern was raised that the number of roof windows would give the hut a much stronger residential character where none of the existing beach huts along the frontage at Wrabness have roof windows. Further, the excessive number of rooflights would have the potential for light spillage into this tranquil part of the AONB. Revised amended plans were received which omitted the rooflights.

The Parish Council have no objection and no letters have been received.

6. **Recommendation**

Approval - Full

7. **Conditions**

- 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: 1353 - 004F, 1353 - 005B and 1353 - 007A; received 31st July 2020.

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

- 3 No construction works shall take place between the months of October and March inclusive.

Reason - To avoid potential disturbance effects on the qualifying features of the nearby Stour and Orwell estuaries, SPA and RAMSAR sites and the Stour Estuary SSSI.

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.

The applicant is reminded that, as the site is within the Suffolk Coast & Heaths Area of Outstanding Natural Beauty, no alterations (e.g. the insertion of rooflights) can be undertaken without an express grant of planning permission.

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