

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DB	06/01/21
Planning Development Manager authorisation:	TF	07/01/21
Admin checks / despatch completed	DB	07/01/21
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	07.01.2021

Application: 20/01626/FUL **Town / Parish:** Bradfield Parish Council

Applicant: Mr Geoff Cadman

Address: 2 Curlews Station Road Bradfield

Development: Proposed rear garage extension with sun terrace.

1. Town / Parish Council

Bradfield Parish Council No comments received.

2. Consultation Responses

N/A

3. Planning History

03/01945/OUT	Demolition of existing semi-detached dwellings and replacement of two detached dwellings (land at Jaques Cottage and Windyridge)	Approved	21.11.2003
05/00259/FUL	Extensions, refurbishment and garage	Refused	05.04.2005
05/00640/FUL	Extensions, refurbishment and garage	Approved	31.05.2005
20/01626/FUL	Proposed rear garage extension with sun terrace.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

EN5 Areas of Outstanding Natural Beauty (AONBs)

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impact and Compatibility

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

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council is now making arrangements to formally adopt Section 1 of the Local Plan in its modified state and this is expected to be confirmed at the meeting of Full Council on 26th January 2021 – at which point will become part of the development plan and will carry full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan. In the interim, the modified policies in the Section 1 Local Plan, including the confirmed housing requirement, can be given significant weight in decision making owing to their advancement through the final stages of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) is now expected to proceed in 2021 and two Inspectors have already been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

5. Officer Appraisal (including Site Description and Proposal)

Proposal

Proposed construction of a garage extension with sun terrace to the rear of the dwelling.

Application Site

The site is located to the east of Station Road within the development boundary of Bradfield, and within the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty (AONB). The site serves a semi-detached dwelling constructed of brickwork finished in painted render with pitched tiled roof. The surrounding street scene comprises dwellings of similar scale and design; materials present include mostly brickwork and tile.

Assessment

Design and Appearance/Impact on AONB

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 site lies within the Suffolk Coasts and Heaths AONB, as such the Council will have particular regard to the Government's advice in PPS7, namely that the primary objective of designation is conservation of the natural beauty of the landscape. These considerations are reflected in policy EN5 of the 2007 adopted local plan, which states that Development which would harm or otherwise fail to conserve the natural beauty of the landscape of an AONB, including views towards it from outside, will not be permitted. These considerations are further reflected in policy PPL 3 of the 2013 saved plan, which states that the Council will protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance. In this instance the scale and location of the proposed is not deemed to harm or fail to conserve the natural beauty of the landscape, owing to its domestic scale and location to the rear of the existing property and would rather serve as a vantage point for the enjoyment of the vista.

The proposed garage extension would measure 5.84 metres wide by 6 metres deep with an overall height of 2.5 metres. There is also a woven wicker vision screen measuring an additional 1.8 metres on the southern boundary, to provide privacy to the sun terrace. This would represent an extension to the existing garage at the rear, to create storage for an additional 2 cars. As the extension is located to the rear of the property, it would be almost entirely obscured from view of the streetscene. The walls would be finished in a light grey boarding, with a set of black painted metal escape stairs also along the southern boundary. There would be rear facing aluminium folding doors leading from the extended garage to the rear garden. It is deemed that this proposal is of a size and scale appropriate to the existing dwelling and surrounding area. The site can accommodate a proposal of this size and scale whilst retaining ample private amenity space.

The proposed sun terrace would be located above the extended portion of the garage and feature glass panels separated by stainless steel post and handrail. This will allow for safe

usage of the sun terrace, whilst reducing the impact of the proposal on the visual amenity of the AONB and surrounding locale.

Impact to 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 by Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The nearest neighbouring properties are No. 1 Station Road to the north and The Bungalow to the south.

Impact on 1 Station Road

The proposed garage extension and sun terrace would be constructed away from the boundary between the two properties; however, the proposal would be visible from this property. It is deemed that the sun terrace would not represent a materially damaging impact on the privacy, daylight nor to cause any other harm to the amenities of No. 1.

Impact on The Bungalow

This property is set away from this proposal and has an existing high tree line along the boundary separating the two dwellings, meaning that this proposal would be almost entirely obscured from the view of this neighbouring dwelling. As a result, it is deemed to not represent a materially damaging impact on the privacy, daylight nor to cause any other harm to the amenities of The Bungalow.

Highway issues

The proposal increases the parking provision at the site by an additional 2 car spaces.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. 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

- 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:

- 09
- 10
- 11
- 12

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.

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