

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	20.01.2021
Planning Development Manager authorisation:	SCE	20.01.2021
Admin checks / despatch completed	ER	20.01.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	20.01.2021

Application: 20/01674/FUL **Town / Parish:** Ardleigh Parish Council

Applicant: Mr and Mrs Kelly

Address: Beaumaris Dead Lane Ardleigh

Development: Proposed single storey rear extension.

1. Town / Parish Council

Ms Clerk to Ardleigh
Parish Council
18.12.2020

no objection

2. Consultation Responses

Essex County Council
Heritage

This letter provides built Heritage Advice pertaining to an application for a proposed single storey rear extension. This application follows on from a previously approved application (19/00287/LBC) for a similar rear extension. In my comments on the initial previous scheme I stated that the extension's footprint was too large and that the materials and appearance of the extension were inappropriate. In addition, there was an awkward glazed link between the historic building and the new extension, to accommodate the low eaves of the thatched roof. Subsequently the scheme for 19/00287/LBC was revised, the footprint was reduced and the materials were amended. The glazed link was removed and more fitting approach to the junction below the thatched roof was achieved. The revised drawings for 19/00287/LBC successfully addressed my concerns and the application was approved (approved drawings dated June 2019, P&P/108/18/03 Rev B and P&P/108/18/04/ Rev B). The scheme proposed in this latest application has reintroduced the problematic elements of the previous scheme. The footprint of the extension is too large, while the awkward junction with the historic building has been reintroduced and the area is shown as being clad in shiplap cedar cladding, which is unsuitable. The fenestration and door to the proposed extension are inappropriate and the large open panels do not complement the character of the building. Further to this, a large glazed lantern is proposed for the extension roof which is unfitting. In principle there is no objection to the removal of the existing annexe, the repair of the historic fabric and the construction of a new extension of appropriate size and appearance. This had been

achieved in the previously approved scheme. However, this new proposal would detract from the Listed building and cause less than substantial harm to the significance of the heritage asset. As a result, I am unable to support this application.

Therefore, Paragraph 196 of the NPPF is relevant in this case. This states that where a development would result in less than substantial harm to the significance of a designated heritage asset, the level of harm should be weighed against the public benefits of the proposal.

Essex County Council
Heritage

This letter provides further built Heritage Advice pertaining to an application for a proposed single storey rear extension.

This response letter follows on from a discussion with the applicant regarding the details of the scheme, in particular the junction between the thatch building and the roof of the extension. It is understood that there is a space of approximately 150mm between the eaves of the thatched roof and the new extension roof covering. The new flat roof will have a 150mm aluminium upstand at the junction with the old building which will tuck into the soffit of the thatch, this will be covered with a heat applied flashing, avoiding any hot works. The flat roof will fall away from this at a 1/80 angle, which will disperse all of the rainfall away from the historic fabric of the building. It is recommended that drawings showing details of the interface between the new roof and the historic building, along with details of doors and windows should be required for approval by condition for any successful application. Therefore, I have no objections to the proposed scheme and should it be approved I recommend the following conditions.

- Additional drawings that show details of proposed new windows, doors, fascia and sills to be used by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority prior to their first installation on site.
- Construction of any extension shall not be commenced until additional detailed drawings showing the roof structure and its junction with the historic thatched building have been submitted to and approved in writing by the local planning authority.

3. Planning History

19/00286/FUL	Replacement single storey rear extension.	Approved	27.06.2019
19/00287/LBC	Replacement single storey rear extension.	Approved	27.06.2019
20/01558/DISCON	Discharge of condition 3 (Repair Schedule) of approved planning application 19/00287/LBC.	Approved	01.12.2020
20/01674/FUL	Proposed single storey rear extension.	Current	

4. Relevant Policies / Government Guidance

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

EN22 Extensions or Alterations to a Listed Building

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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

SPL3 Sustainable Design

SP1 Presumption in Favour of Sustainable Development

PPL9 Listed Buildings

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

This application seeks permission for the erection of a single storey rear extension.

Application Site

The application site falls outside of a recognised settlement development boundary and serves a semi-detached dwelling which, along with the adjacent property 'Witheys' form a pair of Grade II Listed Cottages, the listing is as follows;

1/14 Beaumaris and Witheys

GV II

Pair of cottages. C18/C19. Timber framed and plastered. Thatched roof. End and central red brick chimney stacks. One storey and attics, each cottage with 2 eyebrow dormers. 6 window range of C20 casements. Vertically boarded doors off centre of each cottage. Frame of through braced studs. Included for group value.

Assessment

Design and Appearance

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 proposed extension will be located to the rear of the property and comprises an extension to the existing single storey rear extension, the existing rear porch will be demolished. The proposed extension will measure 8.3 metres wide by 3.4 metres deep south of the site, 2.8 metres deep north of the site and will have an overall height of 2.6 metres. The extension is deemed to be of a size and scale appropriate to the existing dwelling with the application site retaining plenty of private amenity space.

The proposed extension will be of a design in keeping with the existing dwelling and surrounding area. The external walls are to be finished in a matching render to that of the existing. The roof will be a timber flat roof structure, in keeping with that of the existing rear extension. The windows and bi-fold doors are to be aluminium framed and will be coloured anthracite, to compliment the front elevation of the dwelling. The proposal is therefore considered to be of an appropriate design and appearance and will not have any significant harmful impact on the street scene.

Policy HG12 of the Tendring District Local Plan 2007 seeks to ensure that extensions outside of the development boundary satisfy general design criteria set within the above mentioned policies and amongst other things, would not represent overdevelopment of the site. As the proposed extension is considered to be of an acceptable design and appearance it is consistent with Policy HG12.

Heritage Impact

Paragraph 189 of the National Planning Policy Framework ("the framework") requires applicants to describe the significance of any heritage assets affected. This requirement is retained by draft Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Paragraph 196 of the Framework adds that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy EN22 of the Saved Plan states that development involving proposals to extend or alter a Listed Building will only be permitted where; it would not result in the damage or loss of features of special architectural or historic interest; and the special character and appearance or setting of the building would be preserved or enhanced. These requirements are carried forward to Policy PPL9 of the Emerging Publication Draft (June 2017) which also requires the use of building materials, finishes and building technique that respect the listed building and its setting.

A heritage statement has been provided in accordance with the above requirements.

Amended plans showing a change in design have been received following on from previous comments by Essex County Council Place Services. A further consultation following these revised plans was sought and had no objections to the proposed works. The consultant has requested that the following conditions be imposed, should the application be approved;

1. Additional drawings that show details of proposed new windows, doors, facia and sills to be used by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the Local Planning Authority prior to their first installation on site.
2. Construction of any extension shall not be commenced until additional detailed drawings showing the roof structure and its junction with the historic thatched building have been submitted to and approved in writing by the Local Planning Authority.

The proposal is deemed to be of an appropriate design and scale to the existing dwelling and surrounding area with no adverse impact on visual amenity. It is therefore deemed to have no significant harmful effect on heritage assets. The conditions recommended have been imposed on the Listed Building Consent Application.

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

The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the extension roof would not intercept the neighbouring dwellings in both plan and elevation. The proposal therefore does not have a significant effect on loss of light.

The proposal is of a single storey nature and therefore poses no significant threat of overlooking or loss of privacy.

Highway issues

The Proposal neither generates an additional need for parking, nor decreases the existing parking provisions at the site.

Other Considerations

Ardleigh Parish Council have no objection to the application.

Essex County Council have no objection to the application.

No other letters of representation have been received.

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

- 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 No. TB/5
- Drawing No. TB/6
- Drawing No. TB/2 C
- Drawing No. TB/4 B

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:	YES	NO
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Are there any third parties to be informed of the decision? If so, please specify:	YES	NO