

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	12/02/2021
Planning Development Manager authorisation:	AN	15/02/2021
Admin checks / despatch completed	CC	15.02.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	DB	15.02.2021

**Application:** 20/01457/FUL **Town / Parish:** Little Oakley Parish Council

**Applicant:** Steven Tucker

**Address:** St Clair Rectory Lane Ramsey

**Development:** Alterations to the design of the extensions and alterations to the main dwelling and cart lodge approved under application 18/01528/FUL, including changing the first floor of the cart lodge to habitable annexe space.

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

Little Oakley Parish  
Council

Little Oakley Parish Council would like to record a decision of  
Neutral for this application

### **2. Consultation Responses**

Not Applicable

### **3. Planning History**

18/00943/FUL      Erection of two storey side and rear extensions, single storey side extensions and creation of annexe, porch, and erection of replacement outbuildings.      Approved      13.08.2018

18/01528/FUL      Erection of two storey side and rear extensions, single storey side extensions and creation of annex, porch, and erection of replacement outbuildings.      Approved      15.11.2018

### **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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

EN1 Landscape Character

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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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. In this latter regard, as of 26<sup>th</sup> January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

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 10<sup>th</sup> 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 has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26<sup>th</sup> January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have 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)**

### **Site Description**

The application site is St Clair, Rectory Lane, Ramsey which is a two storey detached dwelling located outside of the settlement development boundary of Little Oakley. The application site is accessed from a single track off of Rectory Road. The application dwelling is located on a relatively large plot with no neighbouring dwellings.

## History

18/00943/FUL - Erection of two storey side and rear extensions, single storey side extensions and creation of annexe, porch, and erection of replacement outbuildings.

18/01528/FUL - Erection of two storey side and rear extensions, single storey side extensions and creation of annex, porch, and erection of replacement outbuildings.

## Proposal

This application seeks planning permission for alterations to the design of the extensions and alterations to the main dwelling and cart lodge approved under application 18/01528/FUL, including changing the first floor of the cart lodge to habitable annexe space.

The proposed works include the following;

### **Car Port**

- proposed increase of car port height by approx 1m,
- change 2 velux to front small dormers,
- add velux to rear,
- reduce roof height of link roof
- change of use of car port to a habitable space.

### **Dwelling**

- Increase depth of new front porch
- Change 2 front velux rooflights to a single pitched to match front entrance

## Assessment

### 1. Principle of Development

The principle of development has been established through the granting of planning permission 18/01528/FUL and 18/00943/FUL. On this basis, there is no requirement to assess the principle of development in full, only the detailed considerations associated with the current proposal, which are set out below.

### 2. Design and Appearance

Paragraph 8 of the NPPF sets out the overarching objectives for achieving sustainable development, one being the environmental objective which requires the planning system to contribute to protecting and enhancing our natural, built and historic environment including making effective use of land. Paragraph 127 of the NPPF states that developments should function well, should add to the overall quality of the area, are visually attractive as a result of good architecture and layout and are sympathetic to local character. Saved Policies QL9, QL10 and QL11 of the adopted Tendring District Local Plan (2007) 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.

### **Outbuilding**

This application proposes a 1 metre increase to the overall height of the car port. Although this will be higher than the remainder of the outbuilding, it is not considered to cause a significant adverse impact upon the surrounding area. The materials proposed are to be in keeping with the previously approved materials. The reduction in the height of the link roof which connects the 'dog leg' section to the sail into the new eaves is not considered to cause any impact upon the surrounding area.

The proposed two dormer windows will replace three of the velux windows. The introduction of two dormers in this location is considered acceptable.

The proposed velux windows to the rear elevation are minor additions to the roof form and therefore are not considered to cause any impact upon the surrounding area.

As an independent dwelling, the building would be inappropriate due to the location and shared facilities, although as an annexe that is ancillary to the host dwelling, for occupation by a relative, no policy concerns arise, although a condition will be imposed to ensure that the building is restricted to ancillary accommodation only. Adequate garden area remains for the host property.

## **Dwelling**

The plans provided demonstrate that the porch would increase by approximately 1.2 metres from the previously approved porch. Although the increase is fairly large, the proposed extension would not cause an adverse impact upon the surrounding area.

The proposed side entrance currently comprises of two velux windows. This application seeks to amend the windows to one dormer window to be in keeping with the previously approved works. It is considered that the change in roof form is acceptable and would create a more sympathetic design.

### **3. Impact upon neighbouring amenities**

There are no neighbouring dwellings to the application site and therefore the proposal will not cause any impact upon neighbouring amenities.

### **4. Other considerations**

Little Oakley Parish Council would like to record a decision of Neutral for this application.

No letters of representation 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:

- Proposed Cart Lodge Elevations - Scanned 15 Dec 2020
- Proposed Cart Lodge Floor Plans - Scanned 15 Dec 2020
- Drawing No. 0102 Revision P01 - Proposed Block Plan
- Drawing No. 0303 Revision P03 - Proposed Floor Plans
- Drawing No. 0400 Revision P04 - Proposed Elevations

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

- 3 The annexe hereby approved shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as St Clair, Rectory Lane, Ramsey.

Reason - The site is unsuitable for an independent residential unit because of the shared facilities and relationship to the host dwelling.

## 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