

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	16/12/2021
Planning Development Manager authorisation:	SCE	04.01.2022
Admin checks / despatch completed	ER	05/01/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	05.01.2022

**Application:** 21/01955/FULHH **Town / Parish:** Wix Parish Council

**Applicant:** Alexander Bain and Alistair Blake

**Address:** Goose Cottage Colchester Road Wix

**Development:** Side extension with alteration to the garage

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

Wix Parish Council                      No objections received

### **2. Consultation Responses**

Not applicable

### **3. Planning History**

92/00461/FUL	(Goose Cottage, Goose Green, Wix) Construction of pitched roof with stairs access to workshop space over existing garage	Refused	02.06.1992
21/01955/FULHH	Side extension with alteration to the garage	Current	

### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework July 2021  
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)  
QL11 Environmental Impacts and Compatibility of Uses (part superseded)  
HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

SP7 Place Shaping Principles  
SPL3 Sustainable Design  
PPL3 The Rural Landscape

#### **Status of the Local Plan**

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the

Framework. On the 26<sup>th</sup> January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. On 24<sup>th</sup> November 2021, the Council received the Planning Inspectors' final report on the legal compliance and soundness of Section 2 of the emerging Local Plan. The report has confirmed, that with the inclusion of a number of 'Main Modifications' (which have already been the subject of formal public consultation), the Plan is legally compliant and sound and can now proceed to adoption. The report is due to be considered by the Planning Policy and Local Plan Committee on 11<sup>th</sup> January 2022 which is likely to recommend adoption of the Section 2 Local Plan to Full Council on 25<sup>th</sup> January 2022. On adoption, the new Section 2 Local Plan will join the new Section 1 Local Plan to form the 'development plan' for Tendring and the old 2007 Local Plan will be superseded in full.

Now that the Inspectors' final report is received, the Section 2 Local Plan has virtually reached the final stage of preparation, all objections have been resolved and the Inspector has confirmed that the Plan is sound and therefore in conformity with the Framework. For these reasons, Officers now advise that the emerging Plan should now carry 'almost full weight' in decision making.

Until the new Local Plan is adopted in January 2022, the 2007 adopted Local Plan, legally, will still form part of the 'development plan' and there will still be a requirement to refer to the 2007 Local Plan in decision making. However, the level of weight to be afforded to the policies in the 2007 Plan is reduced to very limited weight given that a more up to date Plan has progressed to such an advanced stage of the plan making process.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Application Site

The application site comprises of a two storey detached dwelling and detached garage both finished in render. The house is set back with a front driveway which is accessed just to the side.

The large frontage has an existing low level boundary fence running along its front. The house has previously been extended with additions similar in design and material. This house is one of a few within the streetscene which share similarities in terms of size and design.

### Proposal

This application seeks permission for the erection of a side extension with alteration to the garage. The alterations to the garage incorporate a new staircase to allow the owners to use space at first floor level for storage in ancillary to the main house.

### Assessment

#### Design and Appearance

The proposed side extension and alterations are of a suitable size and design in relation to the existing house and will be finished in materials which are equivalent to the host dwelling.

Whilst the proposed extension element will be at the side of the house a sufficient space between the house and the shared boundary will be retained to prevent it from appearing cramped within the streetscene.

The new staircase will allow the occupants to create a first floor element to their garage which will be used as storage. The introduction of such is a minor addition which will not appear prominently on the site. A condition will be imposed upon the permission to state that this outbuilding shall continue to be used as ancillary to the main house and should this change then planning permission will be required.

The alterations will appear publicly visible from Colchester Road however the existing house is significantly set back and the alterations/ enlargements are of a minor scale inkeeping with the appearance of the host dwelling which will prevent them from appearing as prominent or harmful features within the streetscene.

The site is situated outside the housing settlement limits however as the proposal will be in keeping with the existing character of the dwelling and will not harm the character of the surrounding area the proposal meets Policy HG12 of the Adopted Local Plan 2007.

#### Highway Safety

The parking provision at the site will remain unchanged with the front driveway being large enough in size to accommodate the off street parking of a minimum of two vehicles in line with the Essex County Council Parking Standards. The proposal will therefore not contravene highway safety.

#### Impact to Neighbours

The proposed alterations and enlargements will be minor in nature and sited away from shared boundaries preventing them from having a harmful impact to the residential amenities of the neighbouring sites.

#### Other Considerations

Wix Parish Council have not objected to the proposal.

There have been no letters of representation received in relation to this application.

#### Conclusion

In the absence of material harm resulting from the proposed development 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 plan: P01 and P02.

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

- 3 The outbuilding shall not be occupied at any time other than for a residential garage/ storage area in ancillary to the residential use of the dwelling known as Goose Cottage, Colchester Road, Wix, Manningtree, Essex, CO11 2PD.

Reason - The site is unsuited for this outbuilding to be used as separate residential dwelling and to reduce the impact on the amenities of neighbouring sites.

### **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.