

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	29/09/2022
Planning Development Manager authorisation:	SCE	30.09.2022
Admin checks / despatch completed	ER	30/09/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	30.09.2022

Application: 22/01167/FULHH **Town / Parish:** Alresford Parish Council
Applicant: Mr Slatter
Address: Oakwood Cottage St Osyth Road Alresford
Development: Proposed retrospective planning application for a single storey garden room.

1. Town / Parish Council

Alresford parish Council No objections received.

2. Consultation Responses

Not relevant for this application.

3. Planning History

22/01167/FULHH Proposed retrospective planning application for a single storey garden room. Current

4. Relevant Policies / Government Guidance

National:
National Planning Policy Framework July 2021 (NPPF)
National Planning Practice Guidance (NPPG)

Local:
Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)
SPL3 Sustainable Design
CP2 Improving the Transport Network

Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

Planning law requires that decisions on 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 (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal (including Site Description and Proposal)

Application Site

The site comprises of a two storey detached dwelling located outside of the development boundary. The house is set back from the front boundary with an area for parking along with fencing along the front boundary.

The applicants refer to the site as "Owlswood Cottage" however the site address provided on the application form states "Oakwood Cottage."

Proposal

This application seeks planning permission for retrospective planning application for a single storey garden room.

Upon the officers site visit the proposal had already been erected and was in situ and is currently under Planning Enforcement investigations.

Assessment

Design and Appearance

The National Planning Policy Framework 2021 attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 130 of the Framework requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Adopted Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context. Adopted Policy SPL3 of Section 2 of the 2013-33 Local Plan also requires, amongst other things, that the development respects or enhances local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features.

The local area comprises of detached dwellings finished in light coloured render and boarding some of which have associated garages and outbuildings. These houses differ in their positioning on their plots with close to the boundary shared with the highway with their outbuildings either in line with their host dwellings or positioned slightly rearward of them. This positioning of houses and outbuildings creates a rough building line within the streetscene which is further strengthened by the front fencing sited along the front boundary of the site and its neighbour to the south east.

The proposal is constructed from brown timber boarding and is 2.7m in height allowing it to be clearly seen over the existing boundary fencing. The proposal has also been set forward of the main house and the neighbouring dwelling, interrupting this building line allowing the new building to appear as a dominant feature within St Osyth Road.

Furthermore the use of brown timber cladding would be unsympathetic with the existing cream/white colour applied to other properties within the vicinity and would further exacerbate its prominence and harmful impact upon St Osyth Road.

As a result and in the absence of other nearby similar development the proposal would appear as a prominent and incongruous feature when viewing the house and to the appearance and character of the streetscene.

Negotiations have taken place between the officer and agent requesting that the building is pushed back in line with the neighbour to the south east and painted white to reduce its prominence and to overcome the above concerns. This option has not been pursued.

Impact on Neighbours

The proposal is sited ample distance from the neighbour to the north west and would therefore does not result in a loss of amenities to this neighbour.

The proposal is sited along the boundary shared with the neighbour to the south east and is visible from their front openings. This neighbour does not have any side facing windows which are impacted upon by the proposal. Whilst the proposal will be visible from this neighbour's front window it is noted that this window already received limited views and light due to existing fencing along the boundary and therefore this loss would be considered unreasonable to refuse permission upon.

Highway Safety

The Essex County Council Parking Standards states that where a house comprises of two or more bedrooms that 2no parking spaces should be retained which measure 5.5m by 2.9m per space. The proposal has been constructed to the front of the house however due to the layout of the house on its plot there is still sufficient space for the parking of two vehicles in line with these standards.

The proposal will not contravene highway safety.

Gas Pipelines

The rear of the site comprises of a gas pipe line and therefore the a HSE form has been completed. There are no concerns or objections received as part of their advice and the proposed development will be sited away from this area so there will not be a harmful impact in this regard.

Other Considerations

Alresford Parish Council have not objected to the application. There have been no letters of representation received.

Conclusion

The proposed development by virtue of its design and siting will result in an incongruous form of development to the main dwelling, detrimental to visual amenity and the overall character of the area contrary to the aforementioned national and local policies. The application is therefore recommended for refusal.

The case will now be passed back to the Enforcement Team who will continue their investigations.

6. Recommendation

Refusal - Full

7. Conditions / Reasons for Refusal

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8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.