

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	27 th April 2022
Planning Development Manager authorisation:	SCE	27.04.2022
Admin checks / despatch completed	DB	28.04.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	28.04.2022

Application: 22/00227/FULHH **Town / Parish:** Great Oakley Parish Council

Applicant: Ms Caroline Lindsay

Address: Oakfield House Harwich Road Great Oakley

Development: Proposed alterations to include alterations to front dormer and alterations to fenestration patterns.

1. Town / Parish Council

No comments received

2. Consultation Responses

No comments received

3. Planning History

18/30101/PREAPP Removal of front porch and proposed front extension with balcony. 02.07.2018

22/00227/FULHH Proposed alterations to include alterations to front dormer and alterations to fenestration patterns. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

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

SP1 Presumption in Favour of Sustainable Development

SP3 Spatial Strategy for North Essex

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL1 Managing Growth

- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- PPL3 The Rural Landscape
- CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex Design Guide

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

Site Description

The host dwelling is a detached house previously extended at the front and rear which lies outside of any settlement development boundary. The dwelling sits on a large site in a rural location and is set back from Harwich Road by approximately 22 metres being largely screened from view by mature trees and hedging. The dwelling is finished with painted render under a pan tile roof. The current fenestration varies in style and design on different parts of the house.

Description of Proposal

The application proposes a number of alterations to fenestration and changes to the roof of the forward-facing dormer.

The fenestration changes amount to:-

Front (south-east) Elevation

Like for like replacement (size of opening) ground floor, window serving living room
Replacement (enlarged width) ground floor, window serving store
Like for like replacement (size of opening) ground floor, window serving bedroom
Replacement (reduced width) first floor, window serving office

Side (south-west) Elevation

Replacement (enlarged width) ground floor, window(s) serving living room
Installation of new doorway serving living room
Replacement of the triple-width window with a door and double-width window, first floor, serving the landing
Like for like replacement (size of opening) first floor, window serving bedroom

Rear (north-west) Elevation

Installation of a new first floor window serving bedroom

In regards to the front dormer, it is proposed to raise the ridge height from 2.4m to 4m by increasing the angle of the dual-pitched roof.

Principle

The Tendring District Local Plan 2013-2033 and Beyond (the Local Plan) 'North Essex Authorities' Shared Strategic Section 1' sets out the strategic level spatial strategy for North Essex. Local Plan Policy SP3 states [Emphasis added]:

"Existing settlements will be the principal focus for additional growth across the North Essex Authorities area within the Local Plan period. Development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role both within each individual district and, where relevant, across the wider strategic area."

Future growth will be planned to ensure existing settlements maintain their distinctive character and role, to avoid coalescence between them and to conserve their setting. Re-use of previously developed land within settlements is an important objective, although this will be assessed within the broader context of sustainable development principles, particularly to ensure that development locations are accessible by a choice of means of travel.

In Section 2 of its Local Plan each local planning authority will identify a hierarchy of settlements where new development will be accommodated according to the role of the settlement, sustainability, its physical capacity and local needs.

Policy SPL1 'Managing Growth' identifies Great Oakley as a 'Smaller Rural Settlement'.

Policy SPL2 'Settlement Development Boundaries' states [Emphasis added]:

"To encourage sustainable patterns of growth and carefully control urban sprawl, each settlement listed in Policy SPL1 (with the exception of the Tendring Colchester Borders Garden Community) is defined within a 'Settlement Development Boundary' as shown on the relevant Policies Map and Local Map. Within the Settlement Development Boundaries, there will be a general presumption in favour of new development subject to detailed consideration against other relevant Local Plan policies and any approved Neighbourhood Plans.

Outside of Settlement Development Boundaries, the Council will consider any planning application in relation to the pattern and scales of growth promoted through the Settlement Hierarchy in Policy SPL1 and any other relevant policies in this plan.

The application proposes an extension to an existing dwellinghouse, as such the principle of the development is acceptable.

Design & Appearance

Section 1 Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context. Section 2 Policy SPL3 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. 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.

Form is the three-dimensional shape and modelling of buildings and the spaces they define. Buildings and spaces can take many forms, depending upon their size and shape in plan; height; bulk - their volume; massing - how bulk is shaped into a form and relationship to the plot boundary. Scale is the height, width and length of each building proposed within a development in relation to its surroundings. This relates both to the overall size and massing of individual buildings

and spaces in relation to their surroundings, and to the scale of their parts. It affects how a space can be used and how it is experienced. The relationships between the different dimensions of a building or component are known as its proportions. Appearance is the aspects of a building or space within the development which determine the visual impression the building or space makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

Permitted Development (PD) grants rights to enable homeowners to undertake certain types of work without the need to apply for planning permission. They derive from a general planning permission granted not by the local authority but by Parliament by way of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Schedule 2, Part 1, Class A provides the extent of alterations and enlargements which can be undertaken to a dwellinghouse without requiring an express grant of planning permission.

Planning permission is not required for the following fenestration alterations:-

Front (south-east) Elevation

Like for like replacement (size of opening) ground floor, window serving living room
Replacement (enlarged width) ground floor, window serving store
Like for like replacement (size of opening) ground floor, window serving bedroom
Replacement (reduced width) first floor, window serving office

Side (south-west) Elevation

Replacement (enlarged width) ground floor, window(s) serving living room
Installation of new doorway serving living room

Rear (north-west) Elevation

Installation of a new first floor window serving bedroom

In regards to replacing the triple-width window with a door and double-width window and the like for like replacement (size of opening) first floor, window serving bedroom. These changes, whilst requiring planning permission, are entirely appropriate and respect the character of the dwelling.

In regards to the front dormer, it is proposed to raise the ridge height from 2.4m to 4m by increasing the angle of the dual-pitched roof. The increase in height results in a development which retains the balance between the eaves of the dormer and the main ridge and, for this reason the development(s) respect existing street patterns and are sympathetic to local character

Impact to Neighbouring Amenities

The NPPF, at paragraph 130 states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Section 1 Policy SP7 of the Tendring District Local Plan 2013-2033 requires that all new development protects the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.

Oakfield House has no immediate neighbours and for this reason the development will protect the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.

Rural Landscape

As a largely rural area, Tendring District's countryside is one of its main assets and maintaining an attractive rural environment is important to the quality of life experienced by both residents and visitors. Section 2 Policy PPL3 of the 2013-2033 Local Plan states that the Council will refuse planning permission for any proposed development which would cause overriding harm to its

character or appearance including to traditional buildings and settlement settings, protected lanes, other rural lanes, bridleways and footpaths; and designated and non-designated heritage assets and historic landscapes.

The proposed development(s) are entirely contained within the envelope of the existing dwelling and for these reasons the development will not cause any overriding harm to the rural landscape.

Highway Issues

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. Paragraph 112 states that applications for development should (a) give priority first to pedestrian and cycle movements and (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter. Paragraph 130 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. These objectives are supported adopted Policy SP7 of the Tendring District Local Plan 2013-2033.

The proposal does not generate any additional requirement for parking places, nor does it cause the loss of any existing parking spaces.

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:- 01, 002; received 26th February 2022 and 001, 004; received 3rd March 2022.

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?		NO
Are there any third parties to be informed of the decision?		NO