

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	01/03/2023
Planning Development Manager authorisation:	ML	02/03/2023
Admin checks / despatch completed	ER	03/03
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	03/03

Application: 23/00164/FULHH **Town / Parish:** Bradfield Parish Council

Applicant: Mr and Mrs Attard

Address: Mill Lane Nursery Mill Lane Bradfield

Development: Proposed detached outbuilding.

1. Town / Parish Council

Bradfield Parish Council

Bradfield Parish Council objects to this planning application on the following grounds:

1. It is an overdevelopment of the site;
2. The proposed building is too dominant in this area.

2. Consultation Responses

Not Required

3. Planning History

99/00267/FUL	Variation of TEN/745/84 by removal of agricultural occupancy condition (Condition 3)	Refused	21.04.1999
80/00012/FUL	Siting of caravan	Approved	19.02.1980
81/00190/FUL	Renewal of TEN/12/80 one caravan	Approved	31.03.1981
82/00265/FUL	Renewal of Ten/190/81 one caravan	Approved	13.07.1982
84/00745/FUL	One three bedroomed bungalow	Approved	14.08.1984
86/01045/FUL	Renewal of TEN/265/82 - residential caravan	Approved	23.09.1986
87/01519/FUL	Renewal of temp caravan (renewal of TEN/1048/86)	Approved	26.10.1987
90/01568/FUL	Extn to existing bungalow to provide granny annexe	Approved	29.01.1991
20/00806/FUL	Detached garage/workshop.	Approved	17.08.2020
23/00164/FULHH	Proposed detached outbuilding.	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

PPL3 The Rural Landscape

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 application site comprises of a detached bungalow which is set back on its plot with accompanying garage and driveway.

The site is located outside of the development boundary.

Proposal

This application seeks planning permission for the erection of a detached outbuilding to the rear. The proposed outbuilding will be finished in brickwork matching that of the existing house and will be used as a home office.

Background

The proposed outbuilding was originally submitted as Lawful Development Certificate however the proposal did not meet the realms of permitted development, and this was withdrawn and an application for full planning permission was submitted.

Assessment

Design and Appearance

The proposed outbuilding will be sited to the rear however due to the open spaces between buildings and the corner plot setting of the site some public views of it will be achieved from the front and side of the site. These views of the outbuilding will be minimal due to its minor nature and significant set back from site boundaries preventing it from resulting in a significantly harmful impact to the visual amenity of the area. Furthermore, the recently constructed double garage/workshop building assists in screening the outbuilding in views and the boundary of the site comprises of a mixture of planting which will aid in lessening its impact further.

The proposal is of a suitable size and design in regard to the main house and will be constructed from brickwork which will match that used in the host dwelling.

The site is of a sufficient size to accommodate the proposal and still maintain an area of usable private amenity space.

The site is located outside of the development boundary however the proposal is considered a suitable addition to the site which would not adversely impact to the appearance/ character of the host dwelling, streetscene or character of the countryside.

Impact to Neighbours

The proposed outbuilding is of a small-scale nature which is sited suitably away from shared boundaries preventing a significant loss of amenities to neighbouring sites.

Other Considerations

Bradfield Parish Council have raised the following concerns

- Overdevelopment
- Dominate to the area

The visual impact of the proposal has been assessed in the above report and due to its small-scale nature and significant set back from site boundaries it is considered that the new outbuilding would not appear as a prominent or harmful feature to the main site or the locale in this instance. There have been no letters of representation received.

The proposal will be used as a home office ancillary to the main house and due to its location and size would be unsuitable to be used as a self-contained dwelling. In the event that this should change then separate planning permission would be required.

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 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The works to which this consent relate must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the consent becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk of both Enforcement Action and Criminal proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

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Site and Block Plan Rec 30.01.2023

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

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.

The outbuilding shall not be occupied at any time other than for residential purposes in ancillary to the residential use of the dwelling known as Mill Lane Nursery Mill Lane Bradfield Manningtree Essex CO11 2QP.