

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CC	29.03.2023
Planning Manager / Team Leader authorisation:	AN	30/03/23
Planning Technician final checks and despatch:	ER	30/03/2023

Application: 23/00178/FUL **Town / Parish:** Beaumont Parish Council

Applicant: Mr and Mrs Smith

Address: Mulberry Harwich Road Beaumont

Development: Proposed erection of pitched roof to existing outbuilding.

1. Town / Parish Council

Beaumont Parish Council No comments

2. Consultation Responses

Not Applicable

3. Planning History

18/01144/FUL	Alterations and extension.	Approved	06.09.2018
19/00358/COUNOT	Proposed conversion of agricultural buildings to three x 1 bedroom residential dwelling houses.	Determination	23.04.2019
19/00909/FUL	Proposed replacement of three poultry units with 1 x three bed dwelling (in lieu of prior approval 19/00358/COUNOT).	Approved	12.12.2019
20/00861/FUL	Proposed three bed dwelling (repositioning of dwelling as approved under planning permission 19/00909/FUL).	Approved	14.10.2020
21/00352/DISCON	Discharge of conditions 3 (Hard and Soft Landscaping) and 9 (Vehicular Turning Facility) of approved Planning Permission ref: 20/00861/FUL (Proposed three bed dwelling (repositioning of dwelling as approved under planning permission 19/00909/FUL)) dated 14/10/2020	Approved	23.04.2021
21/00353/FUL	Erection of new double garage	Approved	16.04.2021
23/00178/FUL	Proposed erection of pitched roof to existing 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

Local Planning Guidance

Essex Design Guide

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)

Proposal

This application seeks permission for the erection of pitched roof to existing outbuilding.

Assessment

Design and appearance

The case officer has visited the site to view the existing outbuilding and assess any potential impacts caused by the proposed pitched roof design. The outbuilding is deemed to be of a fairly minor nature and is largely shielded by the existing trees and shrubbery at the front of the site. The installation of a pitched roof to this existing outbuilding is thought to have a positive impact on the visual amenities of the site. The proposed roof will blend with the design of the host building and its locality and is therefore deemed to be an improvement of the existing structure.

Impact on Neighbouring Amenities

The proposal is not located immediately adjacent to any neighbouring dwellings and will have no negative impacts on the loss of light, privacy, nor harm any other amenity to the neighbouring dwellings.

Highway Considerations

The proposal has no implications on the parking provisions or highway safety at the site.

Other considerations

One letter of objection has been received from a neighbouring resident. This letter states that only the site location plan and the site notice are available to view on the planning website. And goes on to state that there is no existing outbuilding on the site as of 28th February 2023 the application therefore has no merit and should be refused.

Officer Response – The proposed plans are available for public view on the Councils Website, the proposal is specifically shown on drawing No. BHR-401 B. The case officer has visited the site and viewed the existing outbuilding and therefore confirmed it does exist and is not a new structure. The application has been assessed in the above report and deemed to be acceptable.

No other letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

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.

Site Plan - Received 02.02.2023
Drawing Number - BHR-401 B

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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO