

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CT	30/05/2023
Planning Manager / Team Leader authorisation:	ML	30/05/2023
Planning Technician final checks and despatch:	CC	31.05.2023

Application: 23/00466/FULHH **Town / Parish:** Great Bromley Parish Council

Applicant: A Pennell

Address: 1 - 2 St Marks Cottages Furze Lane Great Bromley

Development: Proposed extension to existing garage to form an annexe for a purpose ancillary and incidental to the existing dwellinghouse involving removal of existing frontage boundary conifer hedge and new boundary planting in its place.

1. Town / Parish Council

Great Bromley Parish
Council

Great Bromley Parish Council had no comment on the application.

2. Consultation Responses

Tree and Landscape
Officer

The proposed Laurel hedge to be planted behind and parallel with the existing frontage low brick wall to be retained in lieu of the existing conifer hedge to be removed as specified on revised proposed block plan P01c is acceptable as replacement frontage planting for this site location.

3. Planning History

15/00972/HHPNO
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Erection of single storey flat roof rear extension 4.95m in depth and 3m in height (Following demolition of existing log store and boiler cupboard)

29.07.2015

23/00466/FULHH

Proposed extension to existing garage to form an annexe for a purpose ancillary and incidental to the existing dwellinghouse involving removal of existing frontage boundary conifer hedge and new boundary planting in its place.

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)

SP1 Presumption in Favour of Sustainable Development

SP3 Spatial Strategy for North Essex

SP6 Infrastructure and Connectivity

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

PPL10 Renewable Energy Generation

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

DI1 Infrastructure Delivery and Impact Mitigation

Relevant Documents

Essex County Council Car Parking Standards - Design and Good Practice

5. 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.

6. Officer Appraisal (including Site Description and Proposal)

Site Description

The site lies at the corner of the B1029 and Furze Lane and comprises a residential property containing a previously extended detached house with frontage detached double garage positioned at right angles to the house. The double garage is slate and rendered. A generous parking hardstanding exists in front of the dwelling/garage. The site is heavily screened onto the B1029 by a continuous low brick wall with a continuous 3m high conifer hedge running parallel behind, whilst the site is screened onto the unmade Furze Lane frontage by further hedge screening. Residential properties lie to both the north and south of the site along the B1029 road frontage, whilst a further residential property lies to the eastern side of the site along Furze Lane.

Site Proposal

This FULHH application relates to the proposed extension to the existing double garage to form a residential annexe for a purpose ancillary and incidental to the existing dwellinghouse involving the removal of the existing frontage boundary conifer hedge and new boundary planting in its place.

The proposed annexe would extend off the northern (inner) flank boundary of the existing garage within a currently enclosed lawned area facing onto the existing driveway. The annexe would have a footprint of 8m (w) x 6.35m (D) and would incorporate a dropped ridge line and also recessed frontage and rear building lines. The annexe would be externally finished in cream fibre cement cladding and fibre cement slates (the latter to match existing). The internal layout of the annexe would comprise a lounge/kitchenette, a single bedroom and bathroom. Details of the proposal are shown on amended Block Plan ref; P01c dated 23/05/2023.

Main Issues

The main issues arising with this application are as follows

- Principle of development
- Design
- Access and parking considerations
- Impact on neighbouring amenity
- Proposed landscaping measures

Principle of development

The site lies within the existing Settlement Development Boundary (SDB) for Frating along the east side of the B1029 Frating Road. There would therefore be a presumption in favour of sustainable development in accordance with Policies SP1 and SP3, Section 1 and Policies SPL1 and SPL2, Section 2 of the Tendring District Local Plan 2013-2033 and Beyond. The principle of the proposed development at this location is therefore acceptable.

Design

The proposed annexe would have the appearance of being subservient in scale to the existing double garage, from which it would extend to the side, by reason of its dropped ridge line and recessed frontage and rear building lines, notwithstanding that it would have a greater footprint than the existing garage and the drop/recesses indicated would be only marginal. Furthermore, the resulting development, as a combined garage/annexe outbuilding, would appear subservient to the existing dwelling on the site by reason of its close juxtaposition, whilst the annexe would have a discreet siting away from the Furze Lane frontage, notwithstanding that it would be visible from the main road frontage. The fenestration detailing shown for the annexe incorporating matching windows to the front elevation would be acceptable as would the indicated horizontal wall boarding as an external means of cladding to contrast with the render of the existing garage and the indicated matching artificial slate roof.

No design objections are therefore raised to the proposal under Policy SP7, Section 1 and Policy SPL3, Section 2 of the Tendring District Local Plan 2013-2033 and Beyond.

Access and parking considerations

The proposal involves the creation of a single bedroomed annexe to be used for a purpose incidental and ancillary to the existing dwelling on the site. The existing dwelling benefits from a double garage and a generous driveway and it is considered that no access or parking issues arise with the application given the domestic nature of the proposal. The proposal therefore complies with Policy SP7, Section 1 and Policies SPL3 and CP2 of the Tendring District Local Plan 2013-2033 and Beyond.

Impact on neighbouring amenity

The proposed annexe would be sited within an enclosed position between the existing garage and the host dwelling on the site. The nearest neighbouring dwellings to the north and south of the site would therefore be unaffected by the proposal in terms of residential amenity impacts. Therefore, no amenity objections are raised under Policy SP7, Section 1 and Policy SPL3, Section 2 of the Tendring District Local Plan 2013-2033 and Beyond.

Landscaping

The proposal would involve the removal of the existing 3m high conifer hedge which runs behind an existing low brick wall along the B1029 road frontage boundary to the site, which currently serves to screen the site along this road frontage, and its replacement with a Laurel hedge as specified on amended Block Plan ref; P01c dated 23/05/2023. It is proposed for the existing frontage wall to be retained.

The proposed removal of the conifer hedge would expose both the existing double garage and the proposed annexe extension of it along this road frontage boundary within the public realm.

However, planning permission is not required to remove the conifer hedge, whilst the specified substitute Laurel hedge to be planted is a fast growing evergreen species replacement which would be of the larger planting specification (1.5m high) meaning that both buildings would be partially screened along this boundary over time. Furthermore, the removal of the existing conifer hedge and its replacement with Laurel would represent a visual amenity improvement in the localised street scene, whereby the Council's Tree and Landscape Officer has advised that he has no landscaping objections to the proposed Laurel planting at this site location in his consultation response of 25/05/2023. The specified hedge planting can be conditioned on any planning permission granted.

No landscaping objections are therefore raised to the proposed planting scheme under Policy SP7, Section 1 and SPL3, Section 2 of the Tendring District Local Plan 2013-2033 and Beyond.

7. Recommendation

Approval.

8. Conditions

1. CONDITION

The works to which this consent relates 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 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

NOTES 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.

The approved red line plan drawing is

P02 SITE PLAN RECEIVED 28/03/2023

OTHER DRAWINGS:

P01c PROPOSED ELEVATIONS AND LAYOUT BLOCK PLAN RECEIVED 25/05/2023

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.

3. COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - LANDSCAPING SCHEME

The approved replacement boundary planting indicated for the site's western (B1029) road frontage boundary as annotated on revised 'Proposed Elevations and Layout Block Plan' drawing ref; P01c dated 25/05/2023 (Laurel hedging) shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development hereby approved. Any part of the replacement hedge identified within the approved landscaping details which dies, is removed, is seriously damaged or is seriously diseased within a period of 10 years of being planted shall be replaced in the next planting season with others of similar size and same species unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the approved landscaping scheme has sufficient time to establish in the interests of visual amenity and in the interests of the character and appearance of the area.

4. COMPLIANCE WITH CONDITION

The annexe building hereby approved shall be used for purposes incidental/ancillary to the principal dwellinghouse known as Nos.1-2 St Marks Cottages, Furze Lane, Great Bromley, Colchester, Essex, CO7 7JU and does not permit the use of the approved accommodation as a separate household unrelated and not incidental/ancillary to the principal dwelling.

Reason: To define the scope of the application proposal and in the interests of good planning.

9. 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