

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CC	07.06.2023
Planning Manager / Team Leader authorisation:	JJ	09/06/2023
Planning Technician final checks and despatch:	CC	09.06.2023

Application: 23/00527/FULHH **Town / Parish:** St Osyth Parish Council

Applicant: L Whitby

Address: Creek Cottage Dairy Farm Meadow St Osyth

Development: Proposed new roof to form additional living space.

1. Town / Parish Council

Mr Parish Clerk St Osyth
Parish Council No objections.

2. Consultation Responses

Not Applicable

3. Planning History

22/00948/FULHH	Proposed single storey side and rear extension, including new porch.	Approved	22.07.2022
22/01830/FULHH	Proposed erection of cart lodge/garage with home office above.	Approved	20.12.2022
23/00527/FULHH	Proposed new roof to form additional living space.	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

PPL2 Coastal Protection Belt

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 a new roof to form additional living space/

Application Site

The application site serves a detached dwelling located towards the north of Dairy Farm Meadow. The application site is outside of any defined settlement development boundaries. The site does fall within the Coastal Protection Belt.

Assessment

Design and Appearance

The dwelling is significantly set back within its plot and is largely shielded from the public views of the streetscene by existing shrubbery / trees and the neighbouring properties. Although the house is visible in some areas it is not overly dominant due to the significant distance from the highway. The dwelling already benefits from planning permission for a rear and front porch/front side extension, and it is now proposed to extend upwards into the roof to form a new roof. For the reasons given above the proposed change in roof design will therefore not appear overly intrusive in this location.

It is proposed to change the height and design of the roof to a pitched roof, incorporating two front facing pitched roof dormers and one rear facing flat-roof box dormer. The roof will be finished in slate to match that of the existing roof. The roof is considered to be of an appropriate height and scale and has no significant adverse effects on the visual amenities of the area.

The proposed front facing pitched-roof dormers are considered to be of a minor nature. They are well set back from the eaves and the ridge and are therefore deemed to comply with the guidance set out within the Essex Design Guide. The front facing pitched-roof dormers are therefore deemed to be of an appropriate design and appearance.

The rear facing flat-roof dormer is shielded from the public views of the streetscene by the host dwelling. This element is also set back from the ridge and eaves. The exterior walls will be finished in weatherboarding to match the existing dwelling. The use of matching materials will help the proposal to blend with the host dwelling and so the dormer is not considered to have any significant harmful impacts on the visual amenities of the area.

Impact on Coastal Protection Belt and Flooding

The proposal relates to alterations and improvements to one residential dwelling. The proposed development is considered to be of an acceptable size, scale and appearance, it does not adversely affect the open character of the area and has no harmful impacts on visual amenities. From a flood risk perspective the proposal will again simply extend an existing dwelling as such the sequential test is not required and the proposal will in fact result in safer refuge higher up in the first floor in the event of a flood.

Impact on Neighbouring Amenities

The dwelling is located an adequate enough location from the neighbouring dwellings as for the proposal to have no impact on the loss of light.

The proposed dormers serve three bedrooms and one bathroom, none of these areas are deemed to be primary living spaces which significantly reduces the dormers potential impacts on the loss of privacy to the adjacent neighbouring dwellings. Furthermore, the host dwelling is located a significant distance from the adjacent neighbouring buildings, further reducing any significance of the views that may be gained by the installation of the dormers. The site is also located within a residential area where overlooking of this type is not completely alien. The proposed dormers cannot be said to have any impact on the loss of privacy which is so significant as to justify refusing planning permission.

Other considerations

St Osyth Parish Council have no objections to this application.

No other letters of representation have been received.

Conclusion

The proposed development is considered to comply with the above-mentioned National and Local Policies. In the absence of material harm the proposal is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 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 permission becoming lapsed and unable to be carried

out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action 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.

Drawing No. P01

Drawing No. P02C

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