

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CC	12.09.2023
Planning Manager / Team Leader authorisation:	JJ	12/09/2023
Planning Technician final checks and despatch:	JJ	12/09/2023

Application: 23/00984/FULHH **Town / Parish:** Great Bromley Parish Council

Applicant: Mr Andrew Wendon

Address: Plot 6 8 Paddock House Little Paddocks

Development: Proposed extension to garage for private use and new boundary wall.

1. Town / Parish Council

Great Bromley Parish
Council

Great Bromley Parish Council had no objection.

2. Consultation Responses

Not applicable

3. Planning History

00/00192/FUL	Renewal of planning permissions TEN/97/0111 and 99/01047/FUL relating to use of barn and garden for display of garden ornaments etc.	Approved	23.03.2000
15/30246/PREAPP	Development of 9 no. dwellings.	Refused	22.10.2015
16/00432/OUT	Outline planning application for proposed 6 No. detached dwellings and garages and the change of use of the existing barn into a village shop with associated parking for visitors.	Withdrawn	11.05.2016
16/01040/OUT	Outline planning application for proposed 6 No. detached dwellings and garages, and the change of use of the existing barn into a village shop with associated parking for visitors.	Approved	06.01.2017

18/00623/DETAIL	Reserved matters planning application for proposed 6 No. detached dwellings and garages, and the change of use of the existing barn into a village shop with associated parking for visitors.	Approved	05.12.2018
19/00324/FUL	Proposed replacement detached dwelling and detached double garage.	Approved	13.05.2019
20/00671/FUL	Proposal for one detached dwelling and garage (revisions to plot 6 approved under planning reference 18/00623/DETAIL).	Approved	13.07.2020
20/00859/FUL	Proposed 3no. dwellings (replacements: Plots 1, 2 and 7), internal road and turning head; shop with visitor car parking and new access from Harwich Road; associated landscaping and structures.	Approved	03.12.2020
22/02014/FULHH	Retrospective application for a detached single garage for private use.	Approved	25.01.2023
23/00984/FULHH	Proposed extension to garage for private use.	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

SP7 Place Shaping Principles

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

SPL1 Managing Growth

SPL3 Sustainable Design

LP3 Housing Density and Standards

LP4 Housing Layout

Supplementary Planning Guidance:

Essex Design Guide

Local Planning Guidance:

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), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal (including Site Description and Proposal)

Application Site

The application site is located to the south of Little Paddocks, outside of any defined settlement development boundaries.

Proposal

This application seeks permission for the erection of a garage extension for private use and a new boundary wall.

Assessment

Design and Appearance

Proposed Boundary Wall

The proposed new boundary wall will be visible to the public views of the streetscene. The wall will be constructed using brickwork with black railings to the centre. Whilst the new boundary wall will be visible to the public views of the streetscene, the development that the site forms part of is set off Frating Road (the main road connecting Frating with Great Bromley to the north), and the dwelling is located to the far south of the new development, therefore a rather unique setting. Having regard to the above the proposed wall and railings, whilst not typical of the area, is considered to be of an acceptable size, scale and design with no significant adverse impacts on the visual amenities of the area.

Proposed Garage Extension

The proposed garage extension is located to the rear of the existing garage, however due to its height it will be visible to the public views of the streetscene.

The proposed garage is considered to be of a large scale and footprint, however the application site, being relatively wide, is able to accommodate for this whilst retaining adequate private amenity space, it is therefore deemed to be of an acceptable size and scale.

The exterior walls will be finished in black hardiboard cladding over a red facing brick plinth to match the design and appearance of the existing garage. The garage will have a pitched roof design finished in a matching natural slate. The use of matching materials will help the proposal to blend with the site and is therefore deemed to be of an appropriate design and appearance.

Impact on Neighbouring Amenities

The proposed boundary wall is not located immediately adjacent to any neighbouring dwelling and has no impact on the loss of light.

The proposed garage extension is also not located immediately adjacent to any neighbouring dwelling and has no impact on the loss of light.

The proposed garage extension is of a single storey nature and therefore poses no significant risk to overlooking or loss of privacy to the adjacent neighbouring properties. The garage extension is

proposed to be used for 'private use' as such a condition is considered necessary to ensure it remains in use for purposes incidental and ancillary to the principal dwelling known as 8 Paddock House.

Highway Safety

The proposal will result in an additional parking space at the site, the proposed new garage complies with Essex County Council Highways Regulations for a garage space to measure at least 7m by 3 m internally and is therefore considered acceptable in terms of highway safety.

Other Considerations

Great Bromley Parish Council have no objections to the application.

No other letters of representation have been received.

Conclusion

The proposal is considered to comply with the above-mentioned National and Local Planning 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.

Site Plan - Received 14.07.2023
Block Plan - Received 18.07.2023
Drawing No. 101

Drawing No. 102
Drawing No. 104
Drawing No. 105

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 **CONDITION:** This permission shall only authorise the use and occupation of the accommodation hereby approved for purposes incidental and ancillary to the principal dwelling known as 8 Paddock House (or as may be renamed in the future) and does not permit the use of the approved accommodation as a separate household unrelated and not incidental/ancillary to the principal dwelling.

REASON: The proposed garage / office space would not be acceptable under the established policies of Local Plan and NPPF by representing a net increase in dwelling units were the development to be occupied as an unrelated dwelling and not considered as one household. Furthermore, having regard to its particular relationship with the principal dwelling, there is potential for noise, activity and disturbance detrimental to the amenity of that principal dwelling were the development to be occupied as an unrelated dwelling.

NOTE/S FOR CONDITION

Unless otherwise stated, this condition applies to the site outlined in red and to all new development that forms any net increase in residential accommodation and may include change of use of buildings, change of use of land for the siting of caravans or similar, new buildings and extensions.

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