



AGENT: Mr Andy Cameron - Wright
Ruffell Cameron Ltd
Beaver House
Plough Road Centre
Plough Road
Great Bentley
Colchester
CO7 8LG

APPLICANT: Mr and Mrs Paternoster-Nye
Street Farm
Heath Road
Bradfield
Manningtree
Essex
CO11 2XD

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 24/00341/FULHH **DATE REGISTERED:** 20th March 2024

Proposed Development and Location of Land:

**Two storey side/rear extension with solar panels to the roof.
Street Farm Heath Road Bradfield Manningtree**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY REFUSE PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted for the following reason(s)

- 1 Paragraph 135 of the National Planning Policy Framework (NPPF) (2023) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

Adopted Policy SP7 of Section 1 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context. Policies SPL3 and LP4 of Section 2 of the 2013-33 Local Plan also require, amongst other things, that developments deliver new dwellings that are designed to high standards and which, together with a well-considered site layout that relates well to its site and surroundings, create a unique sense of place.

The proposed works are located to the side and rear of the dwelling, however, will partly be visible from views along Heath Road from the south-west in particular. The host dwelling is of a traditional appearance and proportions, as are surrounding properties in this location. The proposed extension, however, would appear at odds with this, instead creating a far more urbanised appearance not in-keeping with the traditional proportions of the existing property. Specifically, the front elevation would appear too wide, the chimney is of a large and unsightly design, the southern side elevation is of a relatively bland and featureless appearance, and the rear gable is also too wide and out of keeping with the existing proportions. The combination of these features provide for an extension that is excessive by nature of its height, bulk and scale, and of a design that goes far beyond the character of the host dwelling, to the detriment of visual amenity and contrary to the above local and national planning policies.

DATED: 10th May 2024**SIGNED:**


 John Pateman-Gee
 Head of Planning and Building Control
IMPORTANT INFORMATION :-

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

National:

National Planning Policy Framework (2023)
 National Planning Policy Guidance (NPPG)

Local:

Tendring District Local Plan 2013-2033 and Beyond Section 1:
 SP1 Presumption in Favour of Sustainable Development
 SP3 Spatial Strategy for North Essex
 SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2:

SPL1 Managing Growth
 SPL3 Sustainable Design
 PPL4 Biodiversity and Geodiversity

Supplementary Planning Guidance:
 Essex Design Guide (2005)

Plans and Supporting Documents

The Local Planning Authority has resolved to refuse the application for the reason(s) set out above. For clarity, the refusal is based upon the consideration of the plans and supporting documents accompanying the application as follows, (accounting for any updated or amended documents):

Drawing Numbers P01 (received 19th March 2024), P02 (received 22nd March 2024) and P03 (received 5th March 2024).

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

The attached notes explain the rights of appeal.

NOTES FOR GUIDANCE

WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within the set time frame as outlined below:
 - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

ENFORCEMENT

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.