

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	ER	23/05/2024
Team Leader authorisation / sign off:	ML	23/05/2024
Assistant Planner final checks and despatch:	ER	23/05/2024

Application: 24/00419/FULHH **Town / Parish:** Wrabness Parish Council

Applicant: Mr and Mrs Cheeseman

Address: Wrabness House Wheatsheaf Lane Wrabness

Development: Householder Planning Application - Erect new side single storey extension for utility, lobby and toilet (following removal of existing extension). New zinc roof covering to rear Belvedere window, re-render existing pebbledash render and relocation of existing stable block building.

1. Town / Parish Council

Wrabness Parish Council - No objections

2. Consultation Responses

Not required

3. Planning History

23/01420/FULHH	Proposed demolition of existing outbuildings and construction of 3 bay garage.	Approved	01.12.2023
24/00193/FULHH	Demolition of existing outbuildings and construction of 3 bay garage. (resubmission of 23/01420/FULHH)	Approved	08.03.2024
24/00419/FULHH	Householder Planning Application - Erect new side single storey extension for utility, lobby and toilet (following removal of existing extension). New zinc roof covering to rear Belvedere window, re-render existing pebbledash render and relocation of existing stable block building.	Current	

4. 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 Local Plan 2013-33 and Beyond (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 made and the Minerals and Waste Local Plans adopted by Essex County Council.

5. **Neighbourhood Plans**

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

There are no neighbourhood plans in force in the Wrabness area.

6. **Relevant Policies / Government Guidance**

National:

National Planning Policy Framework July 2023 (NPPF)

National Planning Practice Guidance (NPPG)

Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 (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

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP4 Housing Layout

PPL2 Coastal Protection Belt

PPL3 The Rural Landscape

Neighbourhood Plan

No relevant or emerging Neighbourhood Plan.

Supplementary Planning Documents

Essex Design Guide

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

7. **Officer Appraisal (including Site Description and Proposal)**

Application Site

The application site comprises of a two-storey detached dwelling located outside of the development boundary.

The house is set back on its plot with a well-established hedge sited along the front boundary with necessary breaks for vehicular access.

The site benefits from a large area of space to the front currently used for parking as well as ample side and rear garden space. There are a small number of outbuildings already present on site varying in terms of size and design. The site also has planning permission for the construction of a 3 bay cart lodge located to the front of the property.

The house is standalone in terms of design with the surrounding houses being smaller cottages.

Proposal

This application seeks planning permission for:

- Erect new side single storey extension for utility, lobby and toilet (following removal of existing extension).
- New zinc roof covering to rear Belvedere window,
- re-render existing pebbledash render and
- relocation of existing stable block building.

The plans have been amended since the initial receipt of the application to show changes to the roof of the proposed side extension allowing it to form a better relationship with the existing house.

Assessment

Visual Impact

Paragraph 135 of the 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. Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context, and to protect the district's landscape and the quality of existing places and their environs.

The proposed side extension is of a single storey design which will be to the side of the main property incurring limited views from the public realm. The extension will be single storey in design and set back significant from the front boundary of the site, which will reduce its impact. Furthermore, the vast planting along the front boundary will aid in screening much of the development thereby preventing it from having a harmful impact to the overall character/appearance of the host dwelling and streetscene.

The new extension is of a suitable size and design which is appropriate to the main house and will be finished in materials which are consistent with the host dwelling. The use of a single storey element here will also allow it to appear subservient to the main house and reduce its impact in the streetscene.

The stables are currently sited to the side of the house and as part of the proposal will relocate to the rear garden. This positioning will allow them to be even more screened by the existing house and boundary planting, which will prevent it from resulting in a harmful impact to the character/appearance of the area.

The new render will be applied to the first floor of the host dwelling and will replace the existing pebble dashed render already present. The render will be grey in colour and is considered an appropriate contrast to the existing house.

The new zinc covering to the rear window is a suitable replacement to this existing feature and as this element is to the rear this part of the development would not be publicly visible.

The site is outside of the development boundary, however given the minor nature of this proposal it would not result in a harmful impact to the character of the countryside.

The proposal would therefore not result in a harmful impact to the appearance/ character of the dwelling or locale.

Area of Outstanding Natural Beauty

The site is located outside of the development boundary and within Suffolk Coasts and Heaths Area of Outstanding Natural Beauty.

Policy PPL3 states that the Council will protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance, Development proposals affecting protected landscapes must pay particular regard to the

conservation and enhancement of the special character and appearance of the Dedham Vale and Suffolk Coast and Heaths AONBs, and their settings, including any relevant AONB Management Plan objectives. New development within the rural landscape should minimise the impact of light pollution on the site and its surroundings, in order to protect rural amenity and biodiversity.

The proposals will be set sufficiently back from the front boundary and largely screened by existing front boundary treatment reducing its impact to the site. The use of a hipped roof and materials which are consistent with the existing house and surrounding area will further reduce its prominence and allow it to establish suitable relationship with the host dwelling and its rural setting.

The proposal will therefore not result in a harmful impact in this regard.

The proposal is not a major application and therefore consultation on this matter is not required in this instance.

Coastal Protection

The site is located within the Coastal Protection Belt. Policy PPL2 states that the Council will: a. protect the open character of the undeveloped coastline and refuse planning permission for development which does not have a compelling functional or operational requirement to be located there; and b. where development does have a compelling functional or operational requirement to be there, its design should respond appropriately to the landscape and historic character of its context and applicants will be required to demonstrate that any development proposals will be safe over their planned lifetime.

The proposal represents a functional need for the site with the new building being of an appropriate design and scale which would not result in a harmful introduction to the existing coastline. The proposal will therefore not result in a harmful impact in this regard.

Highway Safety

Paragraph 114 of the National Planning Policy Framework 2023 seeks to ensure that safe and suitable access to a development site can be achieved for all users, whilst Paragraph 104 requires that streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.

Adopted Policy CP1 (Sustainable Transport and Accessibility) of the Tendring District Local Plan 2013-2033 states that planning permission will only be granted if amongst other things; access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate, and the design and layout of the development provides safe and convenient access for people.

The Essex County Council Parking Standards states that where a house comprises of two or more bedrooms that two parking spaces should be retained which measure 5.5m by 2.9m per space.

The proposed side extension will result in a loss of the parking area to the side of the site, however the site benefits from a large area to the front which is suitable in size to accommodate the off street parking of at least two vehicles in line with the above standards. The proposal will not alter the existing access arrangements.

The proposal will therefore not contravene highway safety.

Impact to Neighbours

135 of the National Planning Policy Framework (2023) confirms planning policies and decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy SP7 of Section 1 of the 2013-33 Local Plan requires that the amenity of existing residents is protected. Section 2 Policy SPL 3 (Part C) seeks to ensure that development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

The proposals will be sited a significant distance away from shared boundaries and would be predominantly screened by existing boundary planting preventing it from resulting in a loss of amenities to neighbouring sites.

Habitats, Protected Species and Biodiversity Enhancement

Ecology and Biodiversity

General duty on all authorities

The Natural Environment and Rural Communities Act 2006 amended by the Environment Act 2021 provides under Section 40 the general duty to conserve and enhance biodiversity: "For the purposes of this section "the general biodiversity objective" is the conservation and enhancement of biodiversity in England through the exercise of functions in relation to England." Section 40 states authorities must consider what actions they can take to further the general biodiversity objective and determine policies and specific objectives to achieve this goal. The actions mentioned include conserving, restoring, or enhancing populations of particular species and habitats. In conclusion for decision making, it is considered that the Local Planning Authority must be satisfied that the development would conserve and enhance.

This development is subject to the general duty outlined above. An informative has been imposed strongly encouraging the applicant to improve the biodiversity of the application site through appropriate additional planting and wildlife friendly features. Therefore, the development on balance, with consideration of the impact of the development and baseline situation on site, is considered likely to conserve and enhance biodiversity interests.

Biodiversity net gain

Biodiversity net gain (BNG) is an approach that aims to leave the natural environment in a measurably better state than it was beforehand. This excludes applications for Listed Building Consent, Advert Consent, Reserved Matters, Prior Approvals, Lawful Development Certificates, householders, self builds, and other types of application which are below the threshold i.e. does not impact a priority habitat and impacts less than 25 sq.m of habitat, or 5m of linear habitats such as hedgerow). This proposal is not therefore applicable for Biodiversity Net Gain.

Protected Species

In accordance with Natural England's standing advice the proposed development site and surrounding habitat have been assessed for potential impacts on protected species. It is considered that the proposal is unlikely to adversely impact upon protected species or habitats.

Conclusion

In accordance with the overarching duty outlined above, this development is considered to accord to best practice, policy, and legislation requirements in consideration of the impacts on ecology interests.

Other Considerations

Wrabness Parish Council have not objected to the proposal.

There have been no letters of representation received.

Conclusion

The proposal is therefore considered to be compliant with national and local policy as assessed in the above report. In the absence of material harm resulting from the proposed development the application is recommended for approval.

8. **Recommendation**

Approval - Full

9. **Conditions**

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.

05A

08A

09A

06B

07B

10C

Existing Stable Building Photographs (Received 26th March 2024)

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.

10. 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.

Ecology Informative

In accordance with the Council's general duty to conserve and enhance biodiversity, you are strongly encouraged to improve the biodiversity of the application site through appropriate additional planting and wildlife friendly features. Suggested enhancements could include: <https://www.rhs.org.uk/wildlife/in-the-garden/encourage-wildlife-to-your-garden>

11. Equality Impact Assessment

In making this recommendation/decision regard must be had to the public sector equality duty (PSED) under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions that in summary include A) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; B. Advance equality of opportunity between people who share a protected characteristic* (See Table) and those who do not; C. Foster good relations between people who share a protected characteristic* and those who do not, including tackling prejudice and promoting understanding.

It is vital to note that the PSED and associated legislation are a significant consideration and material planning consideration in the decision-making process. This is applicable to all planning decisions including prior approvals, outline, full, adverts, listed buildings etc. It does not impose an obligation to achieve the outcomes outlined in Section 149. Section 149 represents just one of several factors to be weighed against other pertinent considerations.

In the present context, it has been carefully evaluated that the recommendation articulated in this report and the consequent decision are not expected to disproportionately affect any protected characteristic* adversely. The PSED has been duly considered and given the necessary regard, as expounded below.

Protected Characteristics *	Analysis	Impact
Age	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral