

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	ER	05/12/2024
EIA Development - Notify Planning Casework Unit of Decision:	NO	
Team Leader authorisation / sign off:	ML	06/12/2024
Assistant Planner final checks and despatch:	ER	06/12/2024

Application: 24/01566/FULHH **Town / Parish:** Ramsey & Parkeston Parish Council

Applicant: Mr and Mrs Reynolds

Address: Clovelly Wrabness Road Ramsey

Development: Householder Planning Application - Single storey rear extension to form kitchen/living area and single storey front extension to form new bedroom and lounge.

1. **Town / Parish Council**
Ramsey and Parkeston Parish Council

2. **Consultation Responses**
Not applicable to this application.

3. **Planning History**

None relevant.

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>

Ramsey does not benefit from an adopted or emerging neighbourhood plan.

6. **Relevant Policies / Government Guidance**

NATIONAL:
National Planning Policy Framework 2023 (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

PPL2 Coastal Protection Belt

Supplementary Planning Guidance:

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 detached building located outside of the development boundary of Ramsey. To the front the property gives the appearance of a bungalow; however, due to a change in ground levels to the rear it appears as a two-storey dwelling. The site benefits from a large rear garden which is mainly laid to lawn with boundary planting and fencing. The house is finished in render and includes an existing single storey rear extension and detached side garage.

The surrounding area comprises of houses which are mainly single storey in size which are set back on their plots. These surrounding houses vary in terms of appearance with many having previously extended before.

Proposal

This application seeks planning permission for a single storey rear extension to form kitchen/living area and single storey front extension to form new bedroom and lounge.

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 front addition will incorporate two small front gable features enlarging the bedroom, lounge and porch area. The first gable feature will be finished in "cobble stone" Hardieplank boarding and the other will be glazed. The house itself is set back from the main highway and the boundary planting to the front will aid in reducing the impact of the proposal. Whilst the proposal will result in a significant change to the appearance of the existing house, given the variety of houses within the locale this change would not break any uniformity within the area. The front enlargement will also be lower in height compared to the main house with the forward gable projections providing a visual feature and breaking up the expanse of existing render.

The proposed rear addition is a single storey addition, which will be set back from the front boundary. This part of the proposal will appear subservient to the main house, which will be predominantly screened by the host dwelling thereby preventing prominent and adverse views onto the public realm. The use of matching materials will allow the extension to be in keeping with the host dwelling.

The site is of a sufficient size to suitably accommodate the proposal and still retain adequate private amenity space.

The site is located outside of the development boundary; however, the proposal is of a suitable size and design which would not result in an adverse impact to the character of the countryside.

The proposed enlargements are therefore considered appropriate to the existing house and are considered not to result in a harmful impact to the overall character and appearance of the host dwelling or streetscene.

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 2no parking spaces should be retained which measure 5.5m by 2.9m per space.

The proposed front addition will be erected on existing land used for parking; however, the house is set back on its plot and suitable space will be retained for the off street parking of at least two vehicles in line with the above standards.

The proposal will not contravene highway safety.

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 extension being of an appropriate design and scale which would not result in a harmful introduction to the existing undeveloped coastline to the north. The proposal will therefore not result in a harmful impact in this regard.

Impact to Neighbours

Paragraph 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 proposed porch is of a minor scale, which will be set off the shared boundaries thereby preventing it from resulting in a significant impact to the amenities of neighbouring sites.

Sited to the northeast is "Woodrolfe." The proposed rear extension will be sited a sufficient distance away from this shared boundary and predominantly screened by existing boundary fencing, which prevents it from resulting in a loss of amenities to this neighbour.

Sited to the southwest is "Cedars" which is also a detached bungalow dwelling that is set off the shared boundary. The proposal will be sited 0.6m from this shared boundary allowing some views from the neighbouring property. The extension itself will be of a flat roof design with a low height of 3.2m ensuring most of it will be screened by the boundary fencing reducing its prominence to this neighbour. As the neighbour's existing side and rearward windows currently look onto the side of the host dwelling and boundary fencing, they receive little light and outlook at present and whilst the proposal will be noticeable from these openings it is considered that given their restricted amenity in this regard that this impact would not be so significant to refuse planning permission upon in this instance. It is noted that the extension is single storey and therefore will not result in any additional overlooking to this neighbouring site.

Ecology and Biodiversity

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 (BNG) is an approach that aims to leave the natural environment in a measurably better state than it was beforehand. This excludes applications for householder development. This proposal is not therefore applicable for Biodiversity Net Gain.

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.

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

Ramsey and Parkeston Parish Council have no objections 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

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.

CWR/2

CWR/1

Materials email Rec'd 05/12/2024

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

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

12. Notification of Decision

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO
Has there been a declaration of interest made on this application?		NO
No Declarations Of Interest Made		