



AGENT: Adrienne Tyrek - Architect-4u
Ltd
Felaw Maltings
44 Felaw Street
Ipswich
IP2 8SJ

APPLICANT: Mr Mark Newson
Glendoveer
Wix Road
Bradfield
Manningtree
Essex
CO11 2UX

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 24/01908/FULHH **DATE REGISTERED:** 3rd January 2025

Proposed Development and Location of Land:

**Householder Planning Application - Timber frame double garage cart lodge.
Glendoveer Wix 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 2024 (NPPF) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character and history, including the surrounding built environment, function well and add to the overall quality of the area, and establish or maintain a strong sense of place.

Adopted Tendring District Local Plan Section 1 (TDLPS1) Policy SP7 seeks high standards of design that responds positively to local character and context. Policy SPL3 states that development must relate well to its site and surroundings particularly in relation to its siting, height, scale and massing. Furthermore, the development must respect or enhance existing street patterns.

The application site comprises of a two-storey detached dwelling located within the development boundary of Bradfield. The house is set back from the main highway with a large area to the front used for parking with vehicular access and gate, fencing and planting. The surrounding houses to the north are similar in terms of size and design also benefiting from a large open space to the front.

The proposal will comprise of a new double garage set forward of the main house and sited approximately 1.2m back from the front boundary. The garage will exceed 2m in height and due to its height and size will appear as noticeable and prominent feature within Wix Road. The site does benefit from existing planting and fencing to the front which will offer some screening of the garage; however, this is not considered significant enough to suitably reduce the impact of the proposal on the character and appearance of the site and locale.

The proposed development therefore represents an incongruous and prominent feature

which would be detrimental to the visual amenity of the site and locale.

The proposed new outbuilding is therefore considered to be contrary to the above-mentioned policies as it does not reflect the character of the locality and causes significant harm to the appearance of the streetscene within Wix Road. The proposal would have a significant adverse effect on visual amenity and the character of the surrounding area contrary to the above policies and NPPF.

- 2 Paragraph 212 of the NPPF (2024) confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 215 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Section 1 states that proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance and fabric, although the Plan recognises that the scope for a listed building to adapt to modern life and requirements will itself depend upon a number of considerations and it will not always be possible to incorporate modern design solutions without also causing harm to its special character fabric, or appearance.

The site is located in close proximity to two listed buildings "Thatched Cottage" and "The Brambles" which are positioned to the south. The proposed garage would be set in a prominent location forward of the host dwelling and therefore occupying views towards these listed buildings. These views will detract from the positive contribution that these protected buildings present within Wix Road, therefore having a significant impact upon their appearance and setting.

The current proposal would therefore result in significant harm the setting of the nearby listed buildings, resulting in a low degree of less than substantial harm to their significance, as per paragraph 212 of the NPPF. There are insufficient public benefits to outweigh this harm, and the proposal is therefore contrary to the above-mentioned policies of the Tendring District Local Plan 2013-33 and the relevant sections of the NPPF.

DATED: 7th February 2025

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 2024 (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
- PPL9 Listed Buildings

Supplementary Planning Guidance:
Essex Design Guide

Local Planning Guidance:
Essex County Council Car Parking Standards - Design and Good Practice

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 determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

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):

- 050 - Site Plan
- Drawing No 101 - Existing Elevations
- Drawing No 102 - Existing First Floor Plan and 3D Elevations
- Drawing No 103 - Proposed Ground Floor Plan
- Drawing No 104 - Proposed elevations
- Drawing No 105 - Proposed First Floor Plan
- Drawing No 106 - Proposed Garage Elevations
- Drawing No 107 - Proposed 3D Ariel View
- Drawing No 108 - Proposed Garage 3D View
- Drawing No - Proposed 3D Street View
- Drawing No 51 - Block Plan

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.**
- Please ensure that you have read the latest procedural guidance for appeals prior to submitting an appeal. The latest guidance can be found at [Procedural Guide: Planning appeals – England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/procedural-guide-planning-appeals)
- 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.](https://www.gov.uk/government/guidance/planning-appeals)

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.