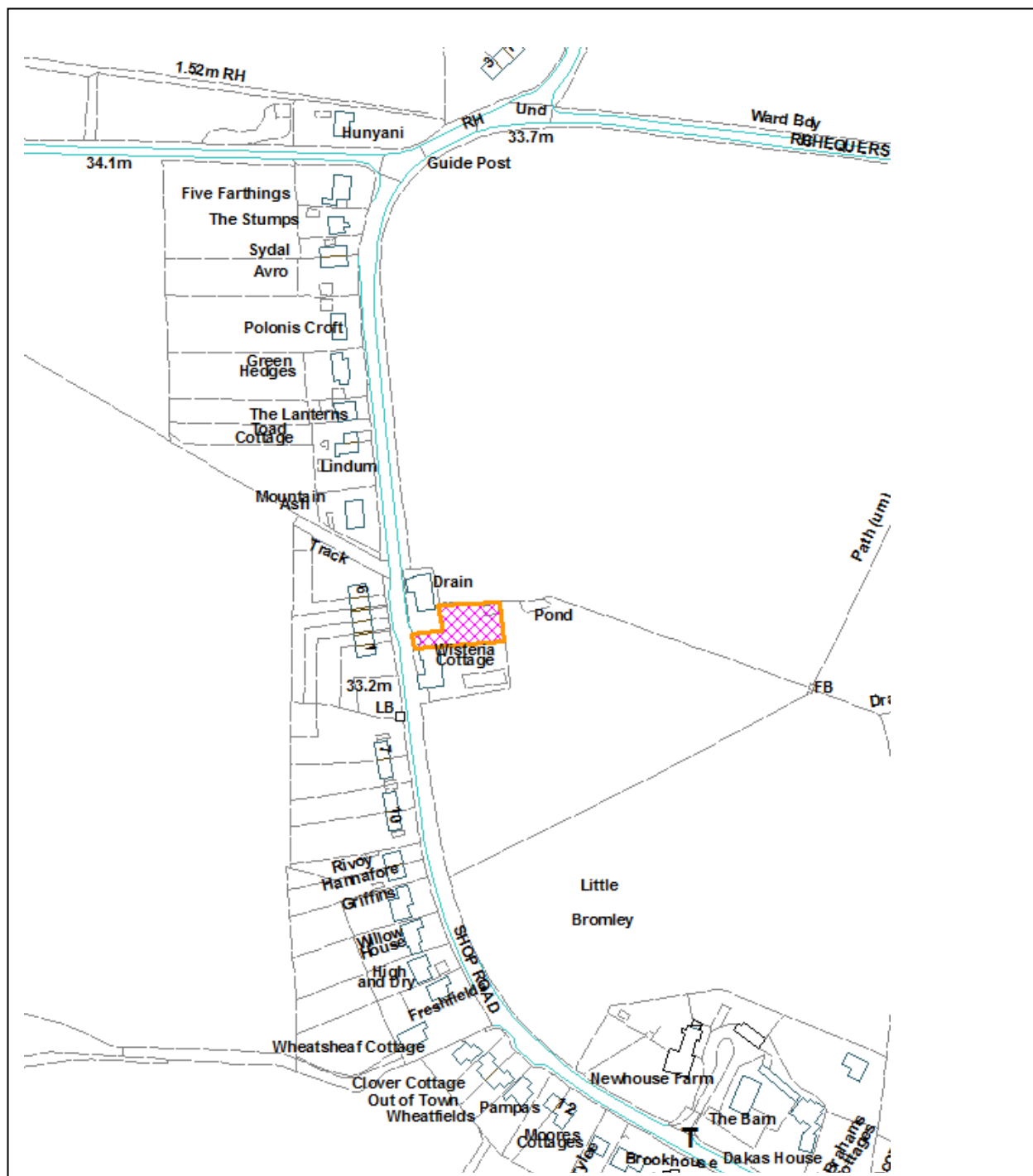


PLANNING COMMITTEE

27 FEBRUARY 2018

REPORT OF THE HEAD OF PLANNING

A.6 PLANNING APPLICATION - 17/02143/FUL – WISTERIA COTTAGE, SHOP ROAD, LITTLE BROMLEY, CO11 2PZ



DO NOT SCALE

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Application:	17/02143/FUL	Town / Parish: Little Bromley Parish Council
Applicant:	Mr N Stock	
Address:	Wisteria Cottage, Shop Road, Little Bromley CO11 2PZ	
Development:	Construction of one single storey dwelling	

1. **Executive Summary**

- 1.1 This application is to be determined by the Planning Committee because the applicant is an active elected member of Tendring District Council.
- 1.2 There is no Settlement Development Boundary (SDB) for Little Bromley within the adopted local plan, and therefore the application site falls outside of a recognised SDB, however the site is located within the SDB for Little Bromley, as established within the emerging local plan.
- 1.3 Little Bromley is categorised, along with seventeen other villages, as a Smaller Rural Settlement within Policy SPL1 of the emerging local plan. Paragraph 3.2.1.4.3 of the emerging local plan states that these smaller villages are considered to be the least sustainable settlements for growth and development should normally be restricted to small-scale development only, respecting the existing character and form of the village. The inclusion of a SDB around Little Bromley indicates that the Council considers that the area is suitable for some development.
- 1.4 Policy SPL2 of the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft states that there is a general presumption in favour of new development within defined development boundaries of towns and villages, subject to detailed consideration against other relevant Local Plan policies. The principle for residential development is therefore acceptable subject to the detailed consideration below.
- 1.5 The proposed dwelling is visually acceptable, will result in no significant harm to neighbouring properties and represents no highway safety risk.

Recommendation: Approve

Conditions:

1. 3 Year Time limit
2. Approved plans
3. Vehicular turning facility
4. No unbound materials in first 6m of access
5. Any gates at the vehicular access shall be inward opening and set back 6m from the highway
6. Any gates at the vehicular access shall be inward opening set back 6m from the highway
7. Details of proposed boundary treatments
8. Removal of Permitted Development rights for extensions and dormers

2. Planning Policy

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

EN1 Landscape Character

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG1 Housing Provision

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL3 The Rural Landscape

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

3. Relevant Planning History

01/00925/FUL	Change of use from shop (Post Office) and dwelling to dwelling only, including single storey extension and first floor rear dormers	Approved	31.05.2001
02/01275/FUL	Erection of detached garage with adjoining car port and store.	Approved	30.08.2002
07/01590/FUL	Retention of outbuilding and continuation of its use for production of bespoke haberdashery (B1) and uses ancillary and incidental to the enjoyment of Wisteria Cottage as a dwelling house.	Approved	05.03.2008
14/01443/FUL	Proposed porch/WC and first floor rear extension, including re-alignment of roof	Approved	13.11.2014

4. Consultations

ECC Highways Dept	<p>This Authority has assessed the highway and transportation impact of the proposal and does not wish to raise an objection subject to the following:</p> <ol style="list-style-type: none">1. Prior to occupation of the development the vehicular turning facilities, as shown on the submitted plan shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.2. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.3. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the highway.
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4. Two parking spaces shall be provided and each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

5. Any single garages should have a minimum internal measurement of 7m x 3m

5. Representations

5.1 Little Bromley Parish Council have made no comments on the application.

5.2 Four letters of objection and one letter of observation have been received. The points raised have been summarised below:

- The application represents overdevelopment;
- The site is not within a sustainable location;
- Applications for other dwellings in the village have previously been refused;
- Could set a precedent for future development; and
- The area does not have sufficient infrastructure.

6. Assessment

Site Context

- 6.1 The application site is to the eastern side of Shop Road, Little Bromley and is land adjacent to the north-east of Wisteria Cottage, which is a detached two storey residential dwelling following its previous conversion from a post office and dwelling, and currently forms part of the garden area. The surrounding area is typically semi-rural in character, with large areas of agricultural land to the east and west, however there are a number of residential properties in a ribbon form to the north-west and south-west, and 'Harlequin', a single storey building with residential use on the first floor and a B1 (Business) use on ground floor adjacent to the north.
- 6.2 The site falls outside of a recognised Settlement Development Boundary within the Adopted Tendring Local Plan 2007, however is sited within the Settlement Development Boundary for Little Bromley within the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Proposal

- 6.3 The application seeks permission for the construction of one single storey dwelling, measuring 6.7 metres in height, 11.5 metres in width and 14.9 metres in depth, with an associated single storey detached garage to the southern boundary.
- 6.4 The proposed dwelling will be accessed via an existing access point to the south-west of the site from Shop Road, will be detached, single storey in height and will be served by three bedrooms.

Principle of Development

- 6.5 There is no Settlement Development Boundary (SDB) for Little Bromley within the adopted local plan, and therefore the application site falls outside of a recognised Settlement Development Boundary, the site is located within the SDB for Little Bromley as established within the emerging local plan.

- 6.6 Little Bromley is categorised, along with seventeen other villages, as a Smaller Rural Settlement within Policy SPL1 of the emerging local plan. Paragraph 3.2.1.4.3 of the emerging local plan states that these smaller villages are considered to be the least sustainable settlements for growth and development should normally be restricted to small-scale development only, respecting the existing character and form of the village. The inclusion of a SDB around Little Bromley indicates that the Council considers that the area is suitable for some development.
- 6.7 Policy SPL2 of the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft states that there is a general presumption in favour of new development within defined development boundaries of towns and villages, subject to detailed consideration against other relevant Local Plan policies. The principle for residential development is therefore acceptable subject to the detailed consideration below.

Layout, Design and Appearance

- 6.8 The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).
- 6.9 The proposed dwelling will be sited to the north-east of Wisteria Cottage, and will be accessed via one of the two existing accesses to the west, off Shop Road.
- 6.10 In terms of the layout, whilst the proposed dwelling will be sited approximately 8 metres further back than both Wisteria Cottage and Harlequin, the large existing outbuilding to the rear of Wisteria Cottage to the south has a similar siting. Furthermore, as there is little built form to the eastern side of Shop Road, there is not a strong or linear pattern of development that needs to be adhered to and therefore the proposed dwelling would not appear harmful to the character and appearance of the surrounding area, subject to a condition to ensure appropriate boundary treatments.
- 6.11 The proposed dwelling is to be single storey, and given that the immediate adjacent properties are single storey and two storeys, there is no set character that would need to be adhered to. However, that notwithstanding the dwelling will be of a similar height to Harlequin to the north and slightly smaller than Wisteria Cottage to the south, and is therefore considered to be acceptable.
- 6.12 The dwelling is of a good traditional design, with key design features to break up the bulk, including a front gable, bay window and chimney.
- 6.13 Policy HG9 of the Saved Tendring Local Plan 2007 states that the private amenity space for dwellings of three bedrooms or more should be a minimum of 100 square metres. The plans demonstrate that this level of private amenity space can be accommodated for both the proposed dwelling and also the existing property, 'Wisteria Cottage'.

Impact on Neighbouring Amenities

- 6.14 The NPPF, at paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

- 6.15 Whilst the neighbouring properties to both the north and south are also owned by the applicant, consideration must also be given to future occupiers of the properties and therefore the impact to their existing amenities is a key consideration.
- 6.16 The proposal will be visible to the neighbouring properties; however given its single storey nature and an approximate separation distance of 10 metres, there will not be a significant impact to existing amenities in terms of overlooking, loss of light or the dwelling appearing imposing.
- 6.17 Furthermore, the additional comings and goings of vehicles relating to one dwelling are not considered to result in detrimental harm to amenities in terms of noise disturbance.
- 6.18 In respect of the amenities of the occupiers of the proposed dwelling, there is sufficient separation distance to the adjacent properties to ensure no significant loss of light. Whilst Wisteria Cottage is two storeys in height and therefore has the potential to overlook the private amenity area of the proposed dwelling, there is an approximate separation distance of 25 metres and the proposed garage will screen any views. Therefore, there is not considered to be detrimental harm to the amenities of any future occupiers.

Highway Safety

- 6.19 Essex County Council Highways have been consulted. They raise no objections subject to conditions relating to the vehicular turning facilities, the use of no unbound materials and that any gates provided shall be inward opening only and set back a minimum of 6 metres from the back edge of the highway.
- 6.20 Furthermore, the Council's Adopted Parking Standards require that for dwellings with 2 or more bedrooms that a minimum of 2 parking spaces are required. Parking spaces should measure 5.5 metres by 2.9 metres and garages, if being relied on to provide a parking space, should measure 7 metres by 3 metres internally.
- 6.21 The proposed garage meets the above requirements, whilst there is sufficient provision for the additional parking space required to the front and side of the dwelling. With respect to parking arrangements at the existing property Wisteria Cottage, there is sufficient space to meet the above requirements to the side of the dwelling.

Conclusion

- 6.22 Overall, the principle of a residential dwelling in this location is acceptable, and the proposal represents no visual harm, detrimental impacts to neighbouring amenities or any highway concerns.

Background Papers

None