

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	15/06/2018
Planning Development Manager authorisation:	AN	18/6/18
Admin checks / despatch completed	EB	21/06/18.

Application: 18/00619/FUL

Town / Parish: Frating Parish Council

Applicant: Mr D Mann

Address: 3 Clacton Road Frating Colchester

Development: Proposed front & rear extension to bungalow plus garden outbuilding to form gym/bedroom.

1. Town / Parish Council

Frating Parish Council have no objection to the application but wishes to makes observations; front extension comes out past the building line, this could set a precedence. Neighbouring properties concerns (if any) should be considered.

2. Consultation Responses

None required.

3. Planning History

None relevant.

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

HG14 Side Isolation

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

CP2 Improving the Transport Network

Local Planning Guidance

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. 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.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application relates to 3 Clacton Road, a south facing detached bungalow on Frating Hill within the Parish of Frating but outside any defined Settlement Development Boundary.

The bungalow is one of a small cluster of similar properties some of which have been extended to the front and within the roof space creating chalet style properties. The dwellings are set back from the road with front boundary walls and hedges providing screening.

Hill Farm to the west of the site is a Grade II listed building. The development is sited sufficient distance from the listed property to not result in any impact upon its setting.

Description of Proposal

The application seeks full planning permission for the erection of front, side and rear extensions wrapping around the dwelling (replacing the existing flat roof garage to the side and rear extension) together with the erection of a single storey outbuilding along the eastern boundary of the site.

The extensions will accommodate a bedroom, bathroom, lounge, kitchen and utility room. The outbuilding is to be used as annexe accommodation and a gym.

The extensions will be finished in render and tiles to match the existing dwelling. The outbuilding will have matching roof tiles but be finished in cladding.

Appraisal

The site lies outside of the Settlement Development Boundary for the area. The proposal therefore falls to be considered against Saved Policy HG12 of the adopted plan which deals with extensions and alterations to dwellings outside development boundaries.

Saved Policy HG12 states that proposals for an extension to an existing dwelling outside the defined boundaries of settlements will be permitted provided that the extension satisfies the general design criteria, namely Saved Policies QL9, QL10 and QL11 of the adopted Tendring District Local Plan 2007 and, in addition, that it:

(i) is of a size, scale, and height in keeping with the character of the locality and in terms of design and materials would make a positive visual contribution to its setting;

The proposal is single storey in height with an eaves and ridge height to match the existing. The proposed will replace a flat roof side garage with a sympathetically designed addition making a positive contribution to its setting. The proposal is similar in design to existing extensions at neighbouring properties and is keeping with the character of the locality. The extension will be finished in matching materials ensuring that the development sits comfortably in its particular setting.

(ii) is well related and in proportion to the original dwelling;

The proposed side and rear additions are of a suitable scale and appearance that appear in proportion but subservient to the main dwelling. The proposed outbuilding is modest in size and height and allows for ample garden space to be retained.

(iii) it is not visually intrusive on a skyline or in the open character of the surrounding countryside;

The property is not in an isolated location and is bounded by existing residential properties and screened by boundary hedgerows. The development will not be, prominent, visually intrusive or harmful to the character of the surrounding countryside.

(iv) it retains sufficient space around the dwelling to protect its setting, that of any associated small group of rural housing, and the amenity and character of the countryside;

The proposed extension will replace an existing garage located on the boundary and will therefore have a neutral impact in terms of its spacing and setting. The rear extension is not excessive in depth and is flat roof. Again, the outbuilding is modest in size and retains ample garden space. The development is in keeping with this group of dwellings and will not be harmful within this street scene or the character of the countryside.

(v) would not represent over-development of the site;

The proposed retains ample distance to the highway and ample garden space and does not represent over-development of the site.

(vi) would not be detrimental to highway safety;

The development will not impact upon the existing access and turning arrangement. The development does result in the loss of the existing garage, however, this is undersized when having regard to existing parking standards. The site frontage allows for ample off-street parking in excess of the 2 spaces required by adopted parking standards.

(vii) would not adversely affect adjoining properties or main habitable rooms in terms of privacy, amenities and aspect;

The proposed extensions and outbuilding are single storey with low eaves and ridge heights or a flat roof. The pitched roof elements are hipped away from neighbouring dwellings and the flat roof element is low in height. The neighbouring property to the west is set further back in its plot and has a rear extension with no side facing windows serving primary living areas. The rear windows serve the kitchen and lounge but will not be overshadowed by the proposed extension due to their juxtaposition and the flat roof design of the rear element of the development. The neighbouring property to the east is separated from the application site by the width of their garage and this

distance together with the orientation of the properties ensures no material harm to amenities will result.

(viii) would not replace an existing permanent dwelling which is capable of reasonable improvement and extension and which makes a positive contribution to local character;

The proposal is for extensions to a permanent dwelling and not a replacement dwelling.

(ix) would not be a replacement for a mobile home, dwelling already demolished or abandoned, or a building not in lawful use as a dwelling house; and

The proposal is for extensions to a permanent dwelling and not a replacement dwelling.

(x) would not exacerbate any existing access, drainage or other problems associated with the site.

The proposal is for householder extensions and alterations. There is no access, drainage or any other issues with the site or locality and the proposal will not be harmful.

For the reasons set out above, the proposal is considered to comply with policy requirements and will not result in any visual harm or neighbouring amenity harm.

Representations

Frating Parish Council raise no objection but make the following points;

- The front extension comes out past the building line which could set a precedent.

There are existing front extensions of a similar scale at neighbouring properties to the east. There is no harm as a result of the front extension and harmful precedent will not result.

- Neighbouring properties concerns should be considered.

The impact on neighbouring amenities is addressed above.

No individual letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be begun before 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 the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: drawing number: CR.18.02 and drawing no: CR.18.03.

Reason - For the avoidance of doubt and in the interests of proper planning.

8. 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.