

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	aw	18/7/18
Planning Development Manager authorisation:	AN	19/7/18
Admin checks / despatch completed	ER	19/7/18

*RNE*

**Application:** 18/00801/FUL                      **Town / Parish:** Mistley Parish Council  
**Applicant:** Mr & Mrs Kane  
**Address:** 16 Erskine Road Mistley Manningtree  
**Development:** Proposed single storey rear extension.

### 1. Town / Parish Council

**Mistley Parish Council** has no comment to make on this application.

### 2. Consultation Responses

n/a

### 3. Planning History

97/00471/FUL	Erection of 23 No. dwellings with new highway access	Approved	19.08.1997
97/01402/FUL	(Site to South of Dalgety Maltings, New Road, Mistley) Erection of 23 No. dwellings with new highway access: variation to scheme as approved under ref TEN/97/0471	Approved	09.12.1997
03/00741/FUL	Conservatory	Approved	09.06.2003
18/00801/FUL	Proposed single storey rear extension.	Current	

### 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

EN17 Conservation Areas

EN23 Development Within the Proximity of a Listed Building

HG9 Private Amenity Space

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

SPL3 Sustainable Design

PPL8 Conservation Areas

PPL9 Listed Buildings

Local Planning Guidance

Essex Design Guide

### **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 Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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. Importantly the Inspector has confirmed that the housing requirement for Tendring of 550 new homes per annum for the period up to 2033 is based upon sound evidence. There are however 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.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years worth of deliverable housing land against their projected housing requirements (plus a 5% or 20% buffer to ensure choice and competition in the market for land). If this is not possible, housing policies are to be considered out of date and the presumption in favour of sustainable development is engaged with applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not.

The Council can demonstrate, with robust evidence, a five-year supply of deliverable housing sites and this has been confirmed in recent appeal decisions. This is based on a housing requirement of 550 dwellings per annum which has been confirmed as sound by the Inspector for the Local Plan examination. Therefore policies for the supply of housing are not out of date and applications for housing development are to be determined in accordance with the Local Plan.

## **5. Officer Appraisal (including Site Description and Proposal)**

### **Site Description**

The application site is on the north side of Erskine Road. The site comprises a detached two storey dwelling, constructed of red brick, with private amenity space to the side and rear. The site is within the Manningtree and Mistley Conservation Area and the proposed extension to the Suffolk Coasts and Heaths AONB, and a grade II listed building - The Central Maltings - is sited 20m to the north.

### **Proposal**

The application seeks planning permission for a single storey rear extension, measuring 3.22m in depth, 6.158m in width and 2.9m in height. It will feature a parapet roof and roof lantern; a brick plinth to match the existing dwellinghouse; and will be finished in facing brickwork to match existing.

The plans also indicate the removal of the existing closed board wooden fence adjacent to the property's parking area, and the erection of a single skin brick wall and gate between the front corner of the garage and the host dwelling.

### **Appraisal**

The main considerations of this application are the visual impact; impact on the conservation area and the setting of the nearby listed building; impact on neighbours; and private amenity space.

#### **Visual Impact; and Impact on Conservation Area and Setting of Listed Building**

Due to its siting to the rear of the host dwelling and behind the existing garage, the proposal will be largely screened from the public highway and will not appear prominent in the street scene. The use of matching materials and design elements from the host dwelling create a sense of cohesive development. The size and scale is in keeping with the host dwelling, and the proposal will appear subservience to the large detached house.

Due to the minimal impact on the street scene, and the proposal being largely screened from public areas, it is considered that the extension will preserve the character of the conservation area. The proposed extension will be separated from the nearby listed building by 30m, and due to the separation and screening provided by existing boundary treatments and adjacent dwellings it will have no significant impact on the setting of The Central Maltings.

The proposed wall and gate to the side of the property will be visible from the street scene, but is a minor alteration and represents an improvement to the visual amenity of the site. It is considered to be in keeping with the host dwelling, and to preserve the character of the conservation area.

#### **Impact on Neighbours**

The proposed extension is single storey, so features no windows above ground floor level. There will therefore be no impact on neighbouring privacy. The proposal satisfies the 45 degree sunlight daylight test, so there will be no significant impact on neighbouring outlook or daylight.

#### **Private Amenity Space**

Policy HG9 of the Local Plan requires that new dwellings with 3 or more bedrooms be provided with at least 100 square meters of private amenity space. Following the erection of the proposal, 185 square metres will be retained in the back garden - which satisfies this policy.

#### **Other Considerations**

Mistley Parish Council has responded, and made no comment on the application.

No other letters of representation have been received.

## Conclusion

In the absence of material harm as a result of the proposed development, this 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 no's. 103 Rev C, 104 Rev. A, 105 Rev. A and 106.

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.