

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	26/07/2018
Planning Development Manager authorisation:	AN sine	26/7/18
Admin checks / despatch completed		27/07/18

Application: 18/00936/FUL **Town / Parish:** Thorpe Le Soken Parish Council

Applicant: Mrs Debbie Kirk

Address: Meadow View Mill Lane Thorpe Le Soken

Development Amendments to extension approved under application 17/01071/FUL.

1. Town / Parish Council

Thorpe Le Soken Parish Council No comments received.

2. Consultation Responses

N/A

3. Planning History

17/01071/FUL	One and a half storey timber clad rear extension 5m x 7.5m with side dormer, roof extension incorporating two front dormers, addition of a closed front porch and re-render of original building and replacement of windows/front door.	Approved	28.09.2017
18/00265/TCA	1 No. Sycamore - fell	Approved	20.03.2018
18/00288/DISCON	Discharge of condition 3 (Materials) of approved Planning Application 17/01071/FUL.	Approved	27.03.2018
18/00936/FUL	Amendments to extension approved under application 17/01071/FUL.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018
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
HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design
PPL8 Conservation Areas

Local Planning Guidance
Essex Design Guide

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 48 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 48 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 site is located to the west of Mill Lane, inside the development boundary of Thorpe le Soken and within the Thorpe Le Soken Conservation Area. Mill Lane is a public footpath and an un-adopted road with a mix of housing types including bungalows, terraces, detached 1 ½ and larger 2 storey dwellings. The site serves a detached single storey dwelling constructed of brick and render with a tile roof. The front of the site includes an area of gravel, lawn and a pathway leading to the front door. The rear of the site is predominantly laid to lawn and construction of the rear extension already approved under application reference 17/01071/FUL has already commenced.

Proposal

The application proposes an amendment to the extension already approved under application reference 17/01071/FUL. This amendment consists of changing the pitch of the rear extension roof from a 40 degree angle to a 44 degree angle, thus changing the ridge height from 6m to 6.65m. All other aspects of development approved under application 17/01071/FUL remain the same.

Assessment

The main consideration of this application is whether the proposed amendment is acceptable in terms of the impact upon the design, conservation area and residential amenity.

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Policy EN17 of the Tendring District Local Plan 2007 and Policy PPL8 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) state that development within a Conservation Area must preserve or enhance the special character or appearance of the Conservation Area.

Design and Impact on Conservation Area

The proposed amendment to the application is considered to be of a scale and nature that remains acceptable to the site and the surrounding area. The extension is still lower than the overall ridge height of the dwelling and continues to appear as a subservient addition which will not be visible from the street scene.

The site is located within the Thorpe le Soken Conservation Area. The Conservation Area Appraisal for Thorpe-le-Soken defines Mill Lane as 'an extension of the older part of the village but with greater informality. The lane is a roughly surfaced public footpath, and leads past simply-detailed individual houses with roofs parallel or perpendicular to the lane, at first within well-defined plots lining both sides of the lane.' Meadow View is not referred to specifically within the appraisal.

A Heritage Statement accompanies this application and suggests that the amendment is minor, sympathetic to and aesthetically more in keeping with the approved design. It goes on to say that the amendment will have no impact on the views from the lane.

It is considered that the amendment to the application will not be harmful to the character or appearance of the conservation area and is acceptable in design terms.

Impact on Residential Amenity

The neighbour that is in closest proximity to the development is the dwelling to the north, known as Cherry Trees. The proposed amendment is not considered to cause any significant adverse impact to the amenities currently enjoyed by this property. The extension is still sited 1.5m from the boundary with a low eaves height of 2.7m. The roof increase of 0.65m from that previously approved is still pitched away from the boundary, being over 5m from the boundary at its highest point. For this reason, the proposed amendment to the application is considered acceptable.

Other Considerations

No comments have been received from Thorpe le Soken Parish Council.

No letters of representation have been received.

As works have already commenced on site there is no need to impose a time limit condition to this permission.

Conclusion

It is considered that the amendment to the development is consistent with the National and Local Plan Policies identified above, and 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 carried out in accordance with the following approved plan: Drawing No. MV-3 Revision 2 received 20th July 2018.

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

- 2 The materials to be used in the construction of the external surface of the development hereby permitted shall be those approved under reference 18/00288/DISCON. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason - The site is within the Thorpe-le-Soken Conservation Area where quality materials are an essential requirement.

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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO