

- 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

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

- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is north east facing, outside of any development boundary in a rural location. The main property is a substantial detached house with attached flat roof double garage. The property is finished in red brick under a plain tile roof, with painted rendered gables above both sets of bay windows. Various extensions have been added to the house over the years increasing the living area available. The application site can be entered from Crown Lane North or from Lodge Lane, the entrances lead to a gravel driveway which lies in front of the house and is large enough to park a number of vehicles and for turning. The land around the main house is mainly laid to lawn with many large species of mature trees and shrubs which leads to Ardleigh Reservoir.

Description of Proposal

The application proposes a single storey side extension with a balcony. The single storey side extension will measure a maximum of 6.7 metres in depth, 5.45 metres in width with an overall flat roof height of 3 metres. The new internal space will provide an extension to the existing sitting room. Full length windows will look out onto the drive, while bi fold doors will open from the north west and south west elevations. The single storey side extension is level with the front of the house and the roof structure spans the depth of the house, measuring 11.4 metres. The extended roof will provide for a covered ground floor seating area. A black metal staircase will lead from the south western corner of the extension up to the balcony. The balcony will be enclosed with glass with a glass balustrade. All other materials used in the construction of the proposal will match the existing dwelling such as UPVC windows and doors and facing brickwork.

Assessment

The design and appearance and residential amenity are the main considerations for this application.

Design and Appearance

Saved Policy HG12 of the Tendring District Local Plan 2007 permits extensions to an existing dwelling outside of Settlement Development Boundaries however the development must satisfy specific criteria which seeks to protect the rural character of the countryside. The construction of the proposal clearly meets the criteria set out in Policy HG12 and it is considered that no significant harm would be caused to the appearance and character of the countryside.

The spacious grounds surrounding Ashfield allow for further development to the main dwelling. The side extension and balcony surround will be visible from Crown Lane North, however due to the position of the house, set back from the lane and partially screened by trees and hedgerow there will be no significant impact to the streetscene. The use of matching brickwork and UPVC will tie the extension in with the existing dwelling ensuring that the character of the house is maintained. The plans show replacement full length front facing windows serving the existing playroom which are classed as permitted development. The full length windows on the front elevation of the proposal will mirror this allowing the scheme to bring together the elements that are at opposite ends of the house. The use of glass to enclose the balcony helps to reduce the impact of what could be considered further bulk at first floor level by using the transparent effect. The staircase will be located at the rear of the proposal so as not to appear prominent.

Impact upon Residential Amenity

The closest neighbour is that of Noahs Ark which lies south west of the application site. The dwelling of Noahs Ark is a distance of at least 80 metres from the house of Ashfield, ensuring there will be no significant impact to the neighbour at Noahs Ark in terms of loss of privacy, loss of light or outlook. Furthermore mature trees create screening between the properties to ensure they retain their privacy.

The car parking space at Ashfield will not be affected by the proposal and sufficient amenity space will remain following construction of the proposal.

Other Considerations

No 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 No. P01b

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.

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