

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	Ph	6/8/18
Planning Development Manager authorisation:	AN	6/8/18
Admin checks / despatch completed	Ph	7/8/18

Application: 18/00941/FUL **Town / Parish:** Great Bentley Parish Council
Applicant: Mr Roger Charge
Address: 1 Morningside Cottages Aingers Green Road Aingers Green
Development: Proposed single storey rear extension and first floor side extension.

1. Town / Parish Council

Great Bentley Parish Council Great Bentley Parish Council discussed this application on Thursday 5th July and resolved to make no comment

2. Consultation Responses

n/a

3. Planning History

16/01162/OUT	Proposed detached dwelling, including new vehicular access to 1 Morningside Cottages.	Approved	19.09.2016
18/00361/FUL	Proposed new three bedroom dwelling on the land to the side of 1 Morningside Cottages.	Approved	25.05.2018
18/00941/FUL	Proposed single storey rear extension and first floor side extension.	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

HG9 Private Amenity Space

HG14 Side Isolation

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 on the north side of Aingers Green Road, east of the junction with St Mary's Road. The site comprises an end terrace two storey dwelling, finished in painted brickwork and slate roof tiles. Planning permission was granted in May 2018 for a three bedroom dwelling on land adjacent to the application site. The site is within the Development Boundary of Aingers Green.

Proposal

This application seeks planning permission for a single storey rear extension and two storey side extension. The single storey rear element of the proposal will extend 3m beyond the rear elevation of the existing dwellinghouse, and join the two storey side element which will extend 2m beyond the side elevation of the existing dwellinghouse. The overall height of the single storey element will be 2.7m, while the two storey element will measure 5.26m in height. Materials will match those used in the existing dwellinghouse.

Appraisal

The main considerations of this application are the visual impact, impact on neighbouring properties and private amenity space.

Visual Impact

The two storey element of the proposal will be visible from the highway, due to its siting at the side of the host dwelling. Policy HG14 of the Local Plan requires that extensions over 4m in height retain a minimum of 1m open space between the dwelling and the side boundary of the plot to ensure that the new development is appropriate in its setting and does not create a cramped appearance. The proposed two storey extension will retain exactly 1m of separation.

The proposed side extension is lower than the host dwelling, and is set back from the front elevation by 3.4m - which ensures the addition appears subservient to the main house. The use of matching materials creates a sense of cohesive development, and the style is in keeping with the existing house.

The proposed rear extension will be largely screened from view of the highway - but is still in keeping with the host dwelling and is an appropriate size and scale for the plot.

Impact on Neighbours

The proposed rear extension will impact on the daylight and outlook of two small windows to the eastern neighbour - both of which fall within the 45 degree overshadowing zone of the proposed extension. However, as the proposal only needs planning permission because it extends beyond the side elevation (at the opposite side of the property to the affected), and the height and depth of the rear extension could otherwise be constructed without planning permission - the impact can only be given limited weight. Furthermore, the orientation of the properties means that the affected windows do not benefit from direct sunlight throughout the day. No side windows are proposed on the eastern elevation that will impact the adjoining neighbour's privacy. The impact on 2 Morningside Cottages is therefore not significant enough to warrant refusal of planning permission.

The proposal will extend beyond the rear elevation of the approved (but not yet constructed) neighbouring dwelling to the west by 0.3m. There will therefore be no significant impact on daylight or outlook to this neighbour. Proposed first floor windows are both obscured glazed, as they serve a bathroom, so there will be no impact on neighbouring privacy.

Private Amenity Space

Policy HG9 of the Local Plan requires that new dwellings with 2 bedrooms be provided with at least 75 square meters of private amenity space. Following the erection of the proposal, 80 square metres will be retained in the back garden - which satisfies this policy.

Other Considerations

Great Bentley Parish Council has resolved to make no comment on the application.

One letter of objection was received, commenting that there is no need to make the house any bigger than it is, and that the proposal will block the right of way access to 2 Morningside Cottage.

The visual impact of the proposal has been assessed above, and adequate private amenity space is retained at the site - so there is no significant harm as a result of enlarging the property. Right of access for neighbouring properties is a legal matter, and is not material planning consideration.

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. PA.002, PA.005 and PA.006.

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.