

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	28/11/2018
Planning Development Manager authorisation:	SCE	28.11.18
Admin checks / despatch completed	ER	29/11/18

*ER*

**Application:** 18/01680/FUL **Town / Parish:** Ardleigh Parish Council

**Applicant:** Mr J Sly

**Address:** 3 Badliss Hall Cottages Badliss Hall Lane Ardleigh

**Development:** Single storey rear extension.

### 1. Town / Parish Council

Ardleigh Parish Council have not commented on this application

### 2. Consultation Responses

Not Applicable

### 3. Planning History

94/01132/FUL	(3 Badliss Cottages, Badliss Hall Lane, Ardleigh) Proposed single storey extension	Approved	24.10.1994
10/00383/FUL	Single storey rear and first floor side extension and alterations to existing (semi) dwelling.	Approved	26.05.2010
18/01680/FUL	Single storey rear 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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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

PPL3 The Rural Landscape

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Site Description

The application site is 3 Badliss Hall Cottages, Badliss Hall Lane, Ardleigh which is located outside of any development boundary. The application property is part of a pair of semi-detached two-storey cottages with a pitched concrete tiled roof and is finished in a render and cladding. To the side the dwelling has been extended by virtue of a porch and hipped single storey extension.

### Proposal

This application seeks planning permission for a single storey rear extension which will measure 5 metres in width, 5.8 metres in depth with an overall height of 3 metres (3.4 metres incorporating the roof lantern).

### Assessment

The main considerations for this application are the design and appearance and the impact upon the neighbouring amenities.

### Design and Appearance

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in

The single storey extension will be located to the rear of the host dwelling and therefore it will not cause any impact upon the street scene of Badliss Hall Lane. The extension will be constructed from cladding to match the materials used within the host dwelling, with a flat roof and UPVC windows and doors. The detailed design and scale of the extension is acceptable in relation to the host dwelling and would result in no material harm to visual amenity. The site is of a large enough size to accommodate the proposal and still retains sufficient private amenity space.

#### Impact upon neighbours

The proposal will be situated on the western elevation of the host dwelling and therefore it will not be visible to the neighbouring dwelling to the east.

The proposal will be visible to the neighbouring dwelling to the west, however due to the extension being positioned approximately 1.4 metres away from the boundary, the single storey nature of the proposal with a flat roof, it is considered that the proposal will not cause any significant impact upon the neighbouring amenities.

The proposal is single storey and therefore it does not raise significant overlooking concerns however the plans do show a proposed roof lantern. The roof lantern is high level and therefore it is for light purposes only. The site boundaries currently comprise of planting and fencing which will screen the majority of the proposal, and the new extension will have a low eaves height of 2.7m which would reduce the level of outlook lost to the neighbouring properties.

#### Other considerations

Ardleigh Parish Council have not commented on this application.

No letters of representation have been received.

#### Conclusion

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

### **6. Recommendation**

Approval - Full

### **7. Conditions / Reasons for Refusal**

- 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: Site Plan 1:200, Drawing No. 1839/4, Drawing No. 1839/3  
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.

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