

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	04/12/2018
Planning Development Manager authorisation:	AN	10/12/18
Admin checks / despatch completed	SB	12/12/18

*KHE*

**Application:** 18/01759/FUL **Town / Parish:** Great Bentley Parish Council  
**Applicant:** Mr & Mrs Richard Wilby  
**Address:** The Burrow Plough Road Great Bentley  
**Development:** Demolition of existing conservatory and erection of single storey rear extension.

### 1. Town / Parish Council

Great Bentley Parish Council      Great Bentley Parish Council Planning Committee met on 1st November 2018 and agreed to offer no comment

### 2. Consultation Responses

n/a

### 3. Planning History

15/00862/TCA	1 No. Walnut - fell, 1 No. Plum - fell	Approved	07.07.2015
16/00522/FUL	Proposed change of use from garden land to extension of existing car park.	Approved	26.05.2016
18/01759/FUL	Demolition of existing conservatory and erection of 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  
EN17 Conservation Areas

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

### 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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies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**

### Proposal

The application proposes the erection of a flat roof single storey rear extension to a house located within the development boundary and conservation area of Great Bentley. The existing brick and wooden framed conservatory which spans the width of the house will be demolished.

### Design and Appearance

The flat roof extension will create a modern addition to the rear of the house which will be glimpsed between the host dwelling and Plough Farm. The openings at the rear of the proposal provide symmetry as well as two roof lanterns over the newly created space. Hardi plank cladding will be used on the exterior with white UPVC framed windows and doors. The proposal is considered acceptable in terms of its visual appearance and scale.

### Impact upon Residential Amenity

The Burrow is an individual residential property which lies between the offices and commercial buildings of Plough Farm to the south and Beaver House to the east. To the north of The Burrow lies Great Bentley railway station ensuring no residential properties could be affected by the proposal. The low level proposal will not have a significant impact on the occupiers of the businesses at Plough Farm or Beaver House.

There will be no change to the off road car parking provision and at least 250 square metres of private amenity space remain following the construction of the proposal which is considered more than adequate.

### Conservation Area

The Burrow is situated near the edge of but within the Great Bentley Conservation Area. The Burrow is a modern brick built house which is not specifically mentioned in the conservation area appraisal. The conservation area appears to extend along Plough Road to take in the railway station and its buildings and the old farmhouse of Plough Farm. The low level nature of the proposal, at the rear of the existing property will not adversely harm the character of the conservation area.

A heritage statement has been submitted to support the planning application in which the applicant confirms that 'any impact to the area will be negligible'.

Other Considerations

Great Bentley Parish Council agreed to offer no comments on the planning application.

No other letters of representation have been received.

Conclusion

In the absence of significant material harm as a result of the 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 0845-02 and 0845-04

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