

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	11/12/2018
Planning Development Manager authorisation:	SCE	14.12.18
Admin checks / despatch completed	WAL CDYER	14/12/18. 14/12/18

**Application:** 18/01569/FUL                      **Town / Parish:** Elmstead Market Parish Council  
**Applicant:** Mrs S Pike  
**Address:** 42 Colchester Road Elmstead Colchester  
**Development:** Two storey side extension.

### 1. Town / Parish Council

Elmstead Parish council      No objection to the side extension and wishes to applaud the effort to take two vehicles from kerbside parking. However, the council objects to the car port for the following reasons: It is not substantial structure which is out of keeping with the surrounding area and village. There are no other car ports in the locality. The structure is beyond the building line for that location. To be in keeping with the area the council suggests a hardstanding area in line with the building line of the neighbouring 34 Colchester Road.

### 2. Consultation Responses

Not Applicable

### 3. Planning History

18/01569/FUL      Two storey 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

HG3 Residential Development Within Defined Settlements

HG14 Side Isolation

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### **Site Description**

The application site is 42 Colchester Road, Elmstead which is a two storey dwelling located within the settlement development boundary of Elmstead. The application site is located on a corner plot of Colchester Road and Alfells Road.

### **Proposal**

The application seeks planning permission for the erection of a two storey side extension measuring 4 metres in width, 8.1 metres in depth with an overall height of 6.6 metres. The proposal will accommodate a lounge and w.c to the ground floor and the master bedroom, WIW and ensuite to the first floor.

The original proposal was to erect a car port to the front of the dwelling however after discussion with the agent this has been amended and removed from the planning application.

### **Assessment**

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

### **Design and Appearance**

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The proposed two storey side extension is situated to the western elevation of the host dwelling. As the dwelling is located on a corner plot with the proposal being situated approximately 12 metres away from the highway of Colchester Road and 5 metres away from the highway of Alfells Road, the proposal will be visible from the streetscene.

The extension will be constructed of matching materials to those used within the host dwelling and the proposal has a ridge height set lower than the host dwelling in order to clearly distinguish as an extension. It is therefore considered that the proposal would not create a cramped appearance and is considered acceptable in terms of design.

#### Impact upon neighbouring amenities

As the extension is situated on the western side of the host dwelling, the proposal will not be visible to the adjacent neighbour to the east. The proposal will be visible to number 2 – 6 Alfells Road as the host dwelling is situated on a corner plot. However, as the proposal maintains approximately 15 metres to the neighbouring boundary, which complies with Policy HG14, as well as there being no windows proposed to the first floor of the extension, it is considered that there will not be any significant impact upon neighbouring amenities. The extension will be visible to the neighbouring dwelling number 1 Alfells Road located to the south of the application site. The extension will be situated approximately 15 metres away from the neighbouring dwelling and as the proposal comprises of a pitched roof which will slope away from Number 1 Alfells Road, it is considered that the proposal will not cause any significant impact upon neighbouring amenities.

#### Other Considerations

Elmstead Parish Council has no objection to the side extension. However, does object to the car port.

In response to the Parish Councils objection, the application has been amended to remove the car port and therefore this was not considered within this application.

Three letters of objection have been received and raise the following concerns;

- Car port out of character
- The structure would not be in keeping with the open plan design of the estate

The concerns above have been addressed within the report.

#### Conclusion

Having taken all of the considerations into account, it is considered that there is not significant material harm as a result of the development and therefore the application is recommended for approval.

### **6. Recommendation**

Approval - Full

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

- 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. 01 Revision C

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