

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | ER | 18/12/2018 |
| Planning Development Manager authorisation: | SCE | 18.12.18 |
| Admin checks / despatch completed | XNO | 19/12/18 |

Application: 18/01838/FUL **Town / Parish:** Ardleigh Parish Council

Applicant: Mr Carl Allen

Address: Field House Bromley Road Ardleigh

Development: Two storey side extension and single storey rear extension.

1. Town / Parish Council

Ardleigh Parish Council No Comments

2. Consultation Responses

Not Applicable

3. Planning History

17/02114/FUL Two storey and single storey side extension to dwelling. Refused 02.02.2018

**Appeal
Dismissed**

18/01838/FUL Two storey side extension and 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

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application site

The application site comprises of a two storey semi-detached dwelling located outside of the development boundary. The site has previously been refused planning permission under 17/02114/FUL for a two storey addition of a different design and scale, this was later dismissed under the appeal process. Sited to the north east of the site is a two storey dwelling of a similar design which adjoins the application house and has previously been extended.

Proposal

This application seeks permission for the erection of a two storey side extension and single storey rear extension.

Assessment

Design and Appearance

Saved Policy QL9 states that all new development should make a positive contribution to the quality of the local environment, new buildings must be well designed and maintain local character, and development must relate well to its site and surroundings particularly in relation to its scale, massing, form and design. These sentiments are carried forward in Draft Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Saved Policy HG12 of the adopted Tendring District Local Plan (2007) deals with extensions to dwellings outside Settlement Development Boundaries and states that proposals should only be permitted if it (i) is of a size, scale, and height in keeping with the character of the locality and in terms of design and materials would make a positive contribution to its setting and (ii) is well related and in proportion to the original house.

The proposal will be sited to the side and rear and therefore publicly visible.

The proposal will be similar in design to the existing house incorporating a matching roof design, window detailing and use of materials which match the host dwelling.

The height of the extension will be 0.3m lower than that of the house and it will be set back from the front wall by 0.2m. The reduction in height and similar design will ensure that the proposal does not over dominate the existing house and appears as a subservient addition.

The house is situated on a wide enough plot to accommodate the extension without it appearing cramped within the streetscene.

Whilst the extension will be a noticeable addition from viewing the house the extension will be set back from the front of the site by 5m and will be of a similar appearance to the existing house which will prevent it from having a harmful impact to the appearance and character of the area.

It is also noted that the adjacent dwelling has also previously extended to the side with an extension similar to that which is proposed.

The site is situated outside the housing settlement limits however as the proposal will be in keeping with the existing character of the dwelling and will not harm the character of the surrounding area the proposal meets Policy HG12 of the Adopted Local Plan 2007.

Impact on Neighbours

There are no neighbours to the south of the site.

The proposal will be predominantly screened by the existing dwelling and will be sited sufficient distance away from the neighbour to the north east and will not result in a significant loss of outlook or light to this neighbour.

The introduction of a balcony to the rear of the building will result in a loss of privacy to this neighbour as it will create views into the neighbours rear garden. The neighbours rear garden is already overlooked by existing first floor windows of the house and the proposed balcony will be sited away from the neighbouring boundary. The neighbour also has its own single storey rear extension and there is also an outbuilding which spans the boundary of the two houses which act as screening for the private amenity spaces immediately to the rear of this neighbour. As a result of screening by way of past development and due to the neighbours garden already being overlooked by existing first floor windows it is considered that the loss of privacy in this instance is not so significant to refuse planning permission.

Highway Safety

The site is of a large enough size to accommodate the proposal as well as 2 parking spaces in line with the Essex County Council Parking Standards.

Other Considerations

Ardleigh Parish Council have not commented on the application.

Two letters of objection have been received in relation to this application stating that the proposal is contrary to policy and would have a harmful impact to the appearance and character of the area.

As detailed in the report above since the refusal of the original application under reference 17/02114/FUL the proposal has been amended to a design which incorporates and respects the character and appearance of the existing and neighbouring house. Whilst the proposal is large in size the existing house is situated on a wide plot and therefore has sufficient room to accommodate such an extension.

Conclusion

In the absence of material harm resulting from the proposed 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: ALL01, ALL02 and ALL03.

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.