

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	15/01/2019
Planning Development Manager authorisation:	SCE	16.01.19
Admin checks / despatch completed	AP	16/1/19

Application: 18/01948/FUL **Town / Parish:** Great Bentley Parish Council
Applicant: Mr & Mrs Masterson
Address: 8 Pine Close Great Bentley Colchester
Development: Two storey rear extension and new window for en-suite.

1. Town / Parish Council

Great Bentley Parish Council On 6th December 2018 Great Bentley Parish Council unanimously agreed to make no comment and no objection to this application.

2. Consultation Responses

n/a

3. Planning History

18/01948/FUL Two storey rear extension and new window for en-suite. 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

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

Local Planning Guidance
Essex Design Guide

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

This application seeks permission for the erection of a two storey rear extension to a house located within the settlement development boundary of Great Bentley.

Design and Appearance

The two storey extension will project from the northern side of the rear elevation, with the roof slope and eaves height matching the existing dwelling. All materials will also match the existing dwelling which will help to ensure the character of the host dwelling and the immediate area will not be significantly harmed. There is evidence of similar style two storey extensions on the front and rear elevations of the houses comparable to the host dwelling in Pine Close.

Impact upon Residential Amenity

The proposal is a distance of 1 metre to the northern side boundary shared with 7 Pine Close and a distance of 7 metres from the southern side boundary shared with 9 Pine Close. There will be no significant impact in respect of loss of light to the neighbour at 9 Pine Close due to the position of the extension sited to the north of the application site. The loss of light calculations specified in the Essex Design Guide have been applied to assess the impact to the property at 7 Pine Close. The 45 degree line in elevation would intercept just over half of the ground floor triple glass doors at 7 Pine Close, however in plan the 45 degree line would intercept less than half of the ground floor triple glass doors at 7 Pine Close. It is therefore considered that the loss of light is not so significant to justify refusing planning permission.

The position of the new windows on the rear elevation at ground and first floor level will cause no significant loss of privacy to either neighbour.

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4 metres in height, as in this case. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary, which in this case has been met where the northern boundary is shared with 7 Pine Close and also ensures no significant loss of outlook to either neighbour.

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 100 square metres of private amenity space for a property with three bedrooms or more. The existing private amenity space is measured at approximately 118.7 square metres which currently meets the standard. The construction of the proposal would reduce the private amenity space to 107.6

square metres which ensures the standard is still met. The off road parking provision in front of the property is unchanged.

Other Considerations

Great Bentley Parish Council has no objection to this application.

No letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the 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: Drawing No. VM. 03. 02 Revision 02 and Drawing No. VM. 04. 02 Revision 02.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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