



### **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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 planning permission for additions and alterations to a dwelling outside the development boundary, including: ground floor side extension, roof alterations to create first floor accommodation, and a detached annexe within the curtilage.

### **Design and Appearance**

The ground floor extension is sited to the North West corner of the property, and will not be overly prominent when viewed from the highway due to the existing tall fence and mature tree at the boundary.

The roof alterations include raising the overall height of the roof to 6m (an increase of 1.12m) and converting from a hip to gable roof. Three side formers, two roof lights, and a first floor window in each gable are also proposed, and the existing ground floor side extension will be incorporated under the new roof with a gable protrusion. The proposed materials to the roof and elevations match the existing dwelling, and the side dormers are staggered along the roof slope and do not dominate it. Although the proposal will add bulk to the roof the building, the alterations will not harm the character of the dwelling or the surrounding area. Neighbouring properties are in a variety of styles - with a gable fronted bungalow with a front first floor window adjacent to the west, and two storey dwellings opposite to the west.

The site can accommodate the additions to the dwelling, with adequate private amenity space to the rear and parking provision to the front.

The proposed outbuilding is of a size and scale in keeping with the site, and adequate private amenity space is retained. The design relates well to the main dwelling, and is suitable for annex accommodation. Since the annex will be served by an existing second vehicular access to the rear

of the site, a condition will be imposed ensuring that no use as a separate dwelling will be permitted.

### Impact on Neighbours

The existing side extension is 0.75m from the boundary of the property, with a further 2m separation between the boundary and neighbouring property to the north. The proposed gable roof above the side extension will add 1.9m to the height at this point, but due to the separation between the proposal and neighbouring dwelling this will not significantly impact neighbour's daylight or outlook.

The proposed ground floor side extension will be sited 5.5m from the neighbouring dwelling, so will not significantly impact daylight or outlook - and the side facing window is at ground floor level so will not cause overlooking.

The additional height created by the alterations to the roof will be focused towards the centre of the dwelling, away from the boundary to the north - so the impact of this on neighbouring outlook and daylight will be minimal. Side facing roof lights on the northern roof slope will serve en-suite shower rooms, and will be conditioned to be obscure glazed to protect neighbouring privacy. The proposed rear facing window at first floor level will not significantly impact neighbouring privacy due to the distance to the neighbouring property to the rear, and the oblique angle of views into the northern side-neighbour's garden.

The proposed outbuilding to the rear of the site will be 5.75m from the neighbouring dwelling and due to its single storey nature will not significantly impact neighbouring daylight or outlook. No windows are proposed that face towards boundaries with neighbouring properties.

### Other Considerations

Tendring Parish Council has made no comment on the application, and no letters of representation have been received.

### Conclusion

In the absence of material harm as a result of the proposed 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's. P01A and P03A.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 The roof lights to the North facing roof slope shall be glazed in obscure glass prior to occupation, and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of neighbouring properties.

- 4 The annexe shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as '27 Pilcox Hall Lane, Tendring'.

Reason - The site is unsuitable for an independent residential unit which would be out of character with the prevailing form of development.

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