

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	31/01/2019
Planning Development Manager authorisation:	SCE	01.02.19
Admin checks / despatch completed	SB	04/02/19.

**Application:** 18/01988/FUL **Town / Parish:** Great Bentley Parish Council

**Applicant:** Mr Carney

**Address:** Field View Sturrick Lane Great Bentley

**Development:** Erection of UPVC conservatory to rear of property.

### 1. Town / Parish Council

Gt Bentley Parish Council This application was discussed at Great Bentley Parish Council Planning Committee meeting on 3rd January 2019 and it was resolved to offer no objection.

### 2. Consultation Responses

Not applicable

### 3. Planning History

17/00456/FUL	Erection of eight two-storey dwellings following demolition of and alteration to existing buildings.	Approved	14.08.2017
18/01988/FUL	Erection of UPVC conservatory to rear of property.	Current	

### 4. Relevant Policies / Government Guidance

National Planning Practice Guidance  
NPPF National Planning Policy Framework July 2018

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  
 EN23 Development Within the Proximity of a Listed Building  
 EN1 Landscape Character  
 HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)  
 SPL3 Sustainable Design  
 PPL3 The Rural Landscape  
 PPL9 Listed Buildings

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies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

### Proposal

This application seeks permission for the erection of a rear conservatory to a detached dwelling located outside of the development boundary. The part of a recent residential development approved under planning reference 17/00456/FUL.

### Assessment

#### Design and Appearance

The proposal will be sited to the rear and therefore not publicly visible when viewing the proposal from the front.

Whilst sited to the rear the proposal will be publicly visible from the east and north of the site as there is an existing field and public footpath which runs adjacent the site. Due to its minor nature and sufficient distance away from relevant boundaries the proposal would not appear as a prominent or harmful addition when viewing the site from this footpath.

The proposal is of an appropriate size to the dwelling.

Whilst the design of the proposal includes large glass roof panels which are not consistent with the host dwellings brick construction, the new addition will be sited sufficiently away from the boundaries and to the rear of the house preventing it from having a harmful impact on the appearances of the existing house.

This site is of a large enough size to accommodate the proposal and still retain sufficient private amenity space.

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 200

#### Heritage Impact

Sited to the south east is a Grade II listed property known as Sturricks Farmhouse. The proposal will be sited ample distance away from this dwelling and would not have a harmful impact to its character or setting.

### Impact on Neighbours

There are no neighbouring properties to the north of the site.

The proposal will not result in a harmful impact to the neighbour to the south as it will be sited ample distance away from the boundary and screened by the existing fencing and outbuilding sited on the boundary.

### Other Considerations

Great Bentley Parish Council have no objections to the proposal. No further letters of representation have been received.

### Conclusion

In the absence of material harm resulting from the proposed development the applied is become 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: Block Plan 1:200, Proposed Floor Plan Scale 1:50, Proposed Rear Elevation Scale 1:50 and Proposed Side Elevations Scale 1:50.

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.