

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	05/02/19
Planning Development Manager authorisation:	AN	11/2/19
Admin checks / despatch completed	W	12/2/19

ER

**Application:** 18/02027/FUL **Town / Parish:** Great Bentley Parish Council

**Applicant:** Jason Barnett

**Address:** 1 Weeley Road Aingers Green Colchester

**Development:** Single storey side extension, two storey and single storey rear extension, with attached double garage and shed to rear. Resubmission of 18/00231/FUL - Alter design of proposed shed to remove "open covered" area.

### 1. Town / Parish Council

Great Bentley Parish Council      No comment.

### 2. Consultation Responses

N/A

### 3. Planning History

18/00231/FUL	Single storey side extension, two storey and single storey rear extension, with attached double garage and shed to rear.	Approved	10.04.2018
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### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

HG14 Side Isolation

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Site Description

The application site is 1 Weeley Road, Aingers Green, which is a north facing, two storey semi-detached residential dwelling. The immediate surrounding area is characterised generally by urban built form, with residential development to all sides, however further out sees large areas of grassed and agricultural land, particularly to the north and west. The site falls outside of a recognised Settlement Development Boundary within the Saved Tendring Local Plan 2007 but falls inside the Settlement Development Boundary of Aingers Green within the Emerging 2013-2033 Tendring Local Plan Publication Draft.

### Description of Proposal

This application seeks planning permission for the erection of a single storey side and rear extension that becomes a two storey rear extension, which will serve as a utility room leading to a double garage, and also a shed to the rear of the garden.

### History

Under planning reference 18/00231/FUL, planning permission was granted for the erection of a single storey side and rear extension that becomes a two storey rear extension, which will serve as a utility room leading to a double garage, and also a shed to the rear of the garden with a lean-to area.

This previous permission was exactly the same as what is currently being assessed; however the shed previously approved has an amended design that has removed the covered lean-to area, raised the height approximately 0.5m and increased the width.

### Assessment

The main elements of assessment for this proposal are the visual impact, the impacts to neighbouring amenities and parking.

## Visual Impact

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed works are situated to the side and rear of the existing dwelling and will partially be publically visible, thus potentially impacting upon the character of the surrounding area and existing street scene. Whilst the proposed extension and shed are not considered to be of particularly great design, they will be well set back within the site and using a mixture of materials that will merge congruously with the host dwelling, and therefore on balance there is not considered to be a negative visual impact.

## Impact to Neighbouring Amenities

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The side and rear extensions will be visible to the adjacent neighbours to the east and west. In terms of the impact to the west facing neighbour, the majority of the extension will be hidden from view, whilst its predominant single storey nature will ensure no harm to existing amenities. Further, the two storey rear element of the extension has been designed to ensure there are no first floor side elevation windows, whilst the rear first floor window is sited further back than the existing first floor rear window, and will therefore have views further to the rear of the neighbouring garden, an area less likely to be occupied, and resulting in a slight improvement to amenities.

In respect of the east facing neighbour, whilst the extension runs close to the eastern boundary, the predominantly single storey nature of the development, that the two storey rear element does not include first floor side elevation windows, and the fact there is a separation distance of approximately 3 metres ensures there will be no overlooking, loss of light or the proposal appearing imposing.

The shed to the rear of the garden is also visible to a number of properties to the south, east and west. However, it will be sited in a location with sufficient separation distance to all neighbouring properties, whilst its single storey nature will further ensure there will be no harm to existing neighbouring amenities.

Therefore, there will not be significant harm to existing residential amenities as a result of this proposal.

## Parking

Essex County Parking Standards state that for a dwelling of two or more bedrooms, two parking spaces shall be provided at measurements of 5.5m x 2.9m or 7m x 3m if a garage is used as a space. The proposed development will result in the inclusion of a double garage, and whilst this does not meet the above measurements, there is sufficient space to the front and side of the host dwelling to accommodate the necessary parking.

## Other Considerations

Great Bentley Parish Council has not commented.

There have been no other letters of representation received.

## Conclusion

In the absence of any significant material harm as a result of the proposed development, the application is recommended for approval.

## **6. Recommendation**

Approval.

## **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, the untitled Site Location Plan and drawing numbers 152/PL/01, 152/PL/02, 152/PL/03, 152/PL/04, 152/PL/05, 152/PL/06 and 152/PL/07 Rev A.

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.