

## DELEGATED DECISION OFFICER REPORT

| AUTHORISATION                               | INITIALS  | DATE                   |
|---|-----------|------------------------|
| File completed and officer recommendation:  | LN        | 20/03/2019             |
| Planning Development Manager authorisation: | SCE       | 20.03.19               |
| Admin checks / despatch completed           | JHE<br>SB | 22/03/19.<br>22/03/19. |

**Application:** 19/00196/FUL **Town / Parish:** Thorpe Le Soken Parish Council

**Applicant:** Mr & Mrs Eason

**Address:** The Croft New Thorpe Avenue Thorpe Le Soken

**Development** Construction of sun room.

### 1. Town / Parish Council

Thorpe Le Soken Parish Council No comments received.

### 2. Consultation Responses

N/A

### 3. Planning History

|                 |  |                             |            |
|-----------------|--|-----------------------------|------------|
| 16/00349/FUL    | Erection of detached garage.                                   | Approved                    | 31.05.2016 |
| 18/01690/HHPNOT | Proposed conservatory extension. W - 4.7m, H - 3.9m, E - 2.7m. | Prior Approval Not Required | 13.11.2018 |
| 19/00196/FUL    | Construction of sun room.                                      | Current                     |            |

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019  
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

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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### **Site Description**

The application site is located to the east of New Thorpe Avenue, inside the development boundary of Thorpe Le Soken. It serves a detached bungalow constructed of render with a tile roof, with a detached pitched roof garage of the same materials located to the north of the dwelling. The front of the site has a large gravel driveway with in and out access with grass and shrubs planted and a low close boarded fence on the front boundary. The rear of the site is laid to lawn with various planting, a patio area and fencing on the boundaries.

### **Proposal**

The application proposes the construction of a sun room, measuring 4.8m deep by 5.3m wide with a flat roof with maximum height of 3m. It will be constructed of cream render to match the existing dwelling.

### **Assessment**

The main considerations of this application are the design and the impact on residential amenity.

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

### **Design**

The site is a large plot with the dwelling located centrally within it. The proposed extension is considered to be of a scale and nature appropriate to the site and the surrounding area. The extension is located to the rear of the property and will not be visible from the road, whereby resulting in no impact upon the street scene. The extension is a modest flat roof design, with the inclusion of a roof lantern, and the use of matching materials will blend the development with the existing dwelling, making the development acceptable in design terms.

### **Impact on Residential Amenity**

The proposed rear sun room extension is located 9.8m from the rear boundary, 10.2m from the southern boundary and 11m from the northern boundary, which also has the detached garage to obscure views of the development. Due to the proximity to boundaries and the single storey, modest nature of the extension the proposed development is not considered to cause any significant adverse impact on the daylight, privacy and other amenities currently enjoyed by neighbouring property.

### Other Considerations

Thorpe Parish Council have not commented on this application.

No letters of representation have been received.

### Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and 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 plan: Drawing No. TFJ 103/1.

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.

|   |  |    |
|---|--|----|
| <b>Are there any letters to be sent to applicant / agent with the decision?<br/>If so please specify:</b> |  | NO |
| <b>Are there any third parties to be informed of the decision?<br/>If so, please specify:</b>             |  | NO |