

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	26/03/2019
Planning Development Manager authorisation:	SCE	05.04.19
Admin checks / despatch completed	SB	15/04/19

**Application:** 19/00295/FUL **Town / Parish:** Weeley Parish Council JK

**Applicant:** Mrs J Harwood

**Address:** 28 Bentley Road Weeley Essex

**Development:** Proposed single storey side extension.

### 1. Town / Parish Council

Weeley Parish Council      Weeley Parish Council has no objection to this application, subject to any comments from neighbours,

### 2. Consultation Responses

Not applicable

### 3. Planning History

19/00295/FUL      Proposed single storey side extension.      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

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

HG14 Side Isolation

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Proposal

This application seeks planning permission for the erection of a single storey side extension to a semi-detached dwelling within the development boundary of Weeley.

### Assessment

#### Design and Appearance

The proposal will be sited to the side and therefore publicly visible.

The proposed extension is of a size and design which is inkeeping with the host dwelling and will be constructed from materials which match the existing house.

The proposed extension will appear as a subservient addition to the main house as it will be lower in height than the main dwelling and will continue the existing dwellings hipped roof design.

As a result of its consistent design with the host dwelling and set back from the front of the site by 14m the proposed side extension would not result in a harmful impact to the overall appearance and character of the dwelling and area.

The proposal will be 5m in height and sited 1m from the neighbouring boundary. This distance together with its hipped roof design will prevent it from appearing cramped within the streetscene.

#### Highway Safety

The proposal will be constructed on part of the existing driveway however the land to the side and front of the existing house is sufficiently sized to accommodate the proposal and retain 2 parking spaces in line with the Essex County Council Parking Standards. The proposal would therefore not be harmful to highway safety.

#### Impact on Neighbours

The proposal will not be visible to the neighbour to the east as it will be screened by the host dwelling.

Sited to the west of the site is 26 Bentley Road which is a two storey detached dwelling with three openings along its side elevation. Two of these windows serve a living room which is also served by openings to the rear and the third window serves a dining room. These windows currently look onto the side of the application dwelling and the fencing along the boundary and therefore receive little light and outlook and the proposal will affect this further. As the proposal will be sited sufficiently away from the neighbours boundary and comprise of a hipped roof design and as the neighbouring living room is served by additional openings to the rear it is considered the loss of outlook and light to these windows would not be so significant to refuse planning permission upon.

Patio doors are proposed along the side elevation which will be predominantly screened by the boundary fence and are considered not to result in a significant loss of privacy to this neighbour.

The proposal will not extend beyond this neighbours rear wall.

### Other Considerations

Weeley Parish Council have no objections to the proposal.

One comment was received which stated the neighbouring dwellings were not present on the drawings provided. This plan has since been amended.

No further letters of representation have been received.

### Conclusion

In the absence of material harm resulting from the proposed 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: 01 Revision 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.