

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	17/04/2019
Planning Development Manager authorisation:	SCE	18.04.19
Admin checks / despatch completed	[Signature]	18/04/19

**Application:** 19/00310/FUL **Town / Parish:** Great Bentley Parish Council

**Applicant:** Mr & Mrs Baldwin

**Address:** Rydal The Green Great Bentley

**Development:** Proposed two storey side extension and re-construction of roof to form first floor accommodation.

### 1. Town / Parish Council

Great Bentley Parish Council      At the Planning Committee meeting of Great Bentley Parish Council held on 4th April 2019 it was agreed to make no objection and to make no comment

### 2. Consultation Responses

Tree & Landscape Officer      There is a small Hawthorn on the application site to the west of the existing dwelling. It is fairly small and makes only a low to moderate contribution to the character and appearance of the conservation area.

The tree is afforded protection because it is situated within the Gt Bentley Conservation Area

The tree is shown as retained although upon completion of the development is likely to be less prominent in the public realm.

Because of the position, size and amenity value of the tree it should not be considered a significant constraint on the development potential of the land.

The tree does not merit protection by means of a tree preservation order.

### 3. Planning History

19/00310/FUL      Proposed two storey side extension and re-construction of roof to form first floor accommodation.      Current

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019  
National Planning Practice Guidance

Tending District Local Plan 2007



QL9 Design of New Development  
QL10 Designing New Development to Meet Functional Needs  
QL11 Environmental Impacts and Compatibility of Uses  
EN17 Conservation Areas  
EN23 Development Within the Proximity of a Listed Building  
TR1A Development Affecting Highways  
TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design  
PPL8 Conservation Areas  
PPL9 Listed Buildings

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)**

### **Application Site**

The application site comprises of a chalet bungalow sited in front of the existing village green in Gt Bentley. The dwelling has an existing side dormer window and garage sited to the south west of the main house. Sited to the rear is a garden area with a number of outbuildings and a variety of planting and fencing sited along each neighbouring boundary.

### **Proposal**

This application seeks planning permission for the two storey side extension and re construction of roof to form first floor accommodation.

### **Assessment**

### **Design and Appearance**



The proposed alterations will be to the front and rear changing the overall appearance and character of the existing house.

Whilst the character of the existing house will be changed the alterations still incorporate design features relative to the existing house such as hipped roof elements as well as the use of matching brick and render to that of the existing house.

As the character of the area comprises of a variety of single storey and two storey dwellings varying in roof design it is considered the introduction of the proposal would not appear adversely out of place within the streetscene. Furthermore the proposal will be set back from the front of the site to further reduce its impact on the streetscene.

The main house will incorporate a hipped roof design and the side extension will be lower in height than the main house. These aspects will reduce the proposals prominence within the streetscene.

The proposal includes a first floor balcony serving the upstairs living room sited to the front which will be a noticeable addition to the acting as a feature when viewing the house. As a result of dwellings set back and varying character of other houses within the streetscene the introduction of the front balcony would not appear as a prominent or harmful feature within the streetscene.

The plot is of a suitable width which to support the proposal without it appearing cramped within the streetscene.

#### Heritage Impact

The Great Bentley Conservation Area Appraisal does not award special mention to the site however refers to this area as such;

"A rough track from the main road leads around the perimeter of The Green, giving access to the most consistent area of development. The houses are nearly all of post-war date: none is large, and none is over-stated in views across The Green. From Pycotts westwards, these houses together make a very pleasant group. They are almost immediately fronted by the gravel access track and they have a strong relationship with The Green."

The proposal is of an appropriate design and scale to its plot and whilst it will change the character of the host dwelling as a result of variations within the streetscene in regards to character and design of other dwelling it is considered that the proposed extensions are acceptable and would not result in a harmful impact to the character and appearance of the conservation area.

Sited to the south west is "Goodwyns" which is a grade II listed property. The application house and proposal are a sufficient distance away from this protected building and would not result in a harmful impact to its setting. The siting of this listed building has also been referred to within the provided heritage statement.

A heritage impact assessment has been provided in line with the requirements of the NPPF proving justification of the proposal and how they affect which is will have on the conservation area.

#### Highway Safety

The Essex County Council Parking Standards states that proposed garages should have an internal measurement of 7m by 3m. Whilst the new garage is under these measurements sufficient room at the front of the dwelling for the parking of two vehicles in line with the aforementioned standards will be retained. The proposal would therefore not contravene highway safety.

#### Impact to Neighbours

##### Light and Outlook

The proposal will not protrude past the rear wall of the neighbouring dwelling to the east and would therefore not result in a significant loss of outlook or light to any of this adjacent dwellings rearward facing openings.



The proposal will be visible to the neighbour to the west however as a result of its distance of 1.5m from the boundary and its low eaves height of 2.7m together with its roof design would not result in a significant loss of outlook or light to this neighbour.

The new roof height and design will be noticeable to the neighbours however as a result of the dwellings positioning any loss of light or outlook received would not be so significant to refuse planning permission upon. It is also noted that the proposals roof design will further reduce any impact to this neighbour.

#### *Privacy*

The plans show that the proposal will have two Juliet balconies and one dormer window sited to the rear with rooflights positioned within the roof on each of the side elevations which will result in a loss of privacy to the neighbours and has been addressed below.

The existing side dormer window on the west elevation will be replaced with an existing smaller velux window which would reduce the level of privacy lost to "Chase End" sited to the south west of the dwelling. The new rearward openings at first floor will also look into this neighbours garden increasing the overlooking to this neighbour. This neighbour is already overlooked by the site with the host dwelling already having views into this neighbours private amenity space by way of the existing dormer. It is therefore considered that the level of privacy lost in this instance is not so significant to refuse planning permission upon.

The openings will result in a loss of privacy to the neighbour to the north west "Harbet" which is a detached bungalow currently overlooked by its neighbour further along. As this site is already overlooked by a number of dwellings it is considered that the level of privacy lost is not no significant to warrant refusing planning permission. It is also noted that the first floor will be stepped back from the rear wall of the host dwelling limiting any views onto this neighbours garden which may be achieved.

The proposed Juliet balconies to the rear along with new dormer are considered acceptable to the development and any loss of privacy would not be so significant to refuse planning permission upon.

The proposal will result in overlooking to the properties to the rear however as these the host dwelling will be sited a sufficient distance away from its rear boundary and as these properties are already overlooked by neighbouring dwellings the loss of privacy is not so significant to justify refusing planning permission upon.

#### Protected Trees

The site is located within the conservation area meaning that the trees within the vicinity are awarded protection and therefore the council's tree and landscape officer has been consulted as part of this application. He has confirmed there is an existing Hawthorn tree at the site will be retained at the site and the proposal will reduce its prominence within the public realm. As a result of its size and amenity value the tree is not considered a significant restraint on the proposal.

#### Other Considerations

Great Bentley Parish Council have no objection to the proposal.  
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: RGB/3 and Heritage Statement.

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

- 3 No above ground works shall take place until details of the materials to be used in the construction of the proposal hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of visual amenity as insufficient information has been submitted within the application for full consideration of these details.

## **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.