



o The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance.

2) Sustainable Urban Drainage- Prior to commencement of the development no works shall take place until a detailed Sustainable Urban drainage scheme as specified in the Essex Sustainable Drainage Systems Design Guide 2014 submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation of the development and should include and not be limited to;

3) Maintenance - Prior to first occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed in writing, by the local planning authority.

4) Flood Risk Assessment - The measures contained within the Flood Risk Assessment a copy of which was submitted with the planning application and forms part of this permission, shall be fully implemented and in place prior to the first occupation of the development and retained as such thereafter.

5) Flood Risk Assessment 2 - Notwithstanding the details set out in the Flood Risk Assessment submitted with the application, no development shall be undertaken unless and until a method statement has been submitted to and approved in writing by the local planning authority detailing:-

o The flood mitigation measures to be incorporated into the detailed design of the dwelling(s)

o The provision for the installation of removable flood barriers such as flood boards to form part of the detailed design of the doorways and vents/airbricks on the exterior of the property

o The provision of non-return valves to all sanitary outlets to prevent backflow during a flood

6) Flood Mitigation Measures - Development shall not be commenced until a scheme for the provision and implementation of flood mitigation measures has been submitted to and approved in writing, with the Local Planning Authority. The scheme shall be carried out in its entirety before the development is first occupied and constructed and completed in accordance with the approved plans and in line with the Environment Agency documents "Improving the flood performance of new buildings" and "Prepare your property for flooding: A guide for householders and small businesses."

#### Informatives

o In discharging condition X where the surface water drainage strategy proposes the use of soakaways the details of the design and the results of a series of percolation tests carried out upon the subsoil in accordance with DG 365 2016. You are advised that in order to satisfy the soakaway condition the following details will be required:- details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, and whether it will be rubble filled.

o In discharging condition X where discharging to a watercourse the proposed scheme shall include details of the destination and discharge rates equivalent to "greenfield runoff" and no greater than 5 litres per second up to and including a 1 in 100 year rainfall event. This is typically achieved by installing some form of attenuation on site e.g. temporary storage.

o In discharging condition X if discharging to a watercourse, ditch, stream etc, the applicant must demonstrate that the system is an appropriate point of discharge for the site i.e would take existing pre-development flows. If not then further information/assessment will be required to determine the suitability of the system to convey the

proposed flows and volumes of water. Evidence will be required that the development will not increase risk to others. If the proposed discharge point is outside the development site then the applicant will need to demonstrate that the necessary permissions and or agreements to achieve connection are possible.

- o Where the local planning authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.
- o No works to infill ditches should be undertaken without prior consent from Essex County Council. You should also be aware that works of this nature may require planning permission
- o No raising of land in flood plains should take place without prior consent from Essex County Council. You should also be aware that works of this nature may require Environment Agency consent if in a flood plain.
- o The removal of land drains likely to interrupt the flow may require prior consent from Essex County Council on 08457430430 or floods@essex.gov.uk. You should also be aware that works of this nature may require planning permission

#### Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- o Sequential Test in relation to fluvial flood risk;
- o Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- o Safety of the building;
- o Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- o Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, ECC advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Should further correspondence be required, please contact the SuDS team directly using the below details.

### 3. Planning History

94/00663/FUL	Garage with storage over	Refused	19.07.1994
94/01065/FUL	Garage and swimming pool	Approved	24.10.1994
98/00519/FUL	Remove existing flat roof to garage and replace with pitched roof	Approved	22.05.1998
04/01117/FUL	Re-construction of existing roof to form first floor accommodation	Approved	27.07.2004
07/01507/FUL	Proposed car port.	Approved	21.11.2007

14/00162/FUL	Workshop/storage building and driveway.	Approved	16.05.2014
14/00871/FUL	Variation of condition 2 of planning permission 14/00162/FUL to allow roller shutter doors to remain behind timber doors.	Approved	29.08.2014
18/00455/FUL	Proposed single storey extension to form games/family room.	Approved	16.05.2018
19/00103/FUL	Proposed single storey extension to form games/family room - variation to design approved under 18/00455/FUL.	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

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

#### **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 Hedgerows, Rectory Road, Frating which is a two storey dwelling located in a large application site. The site lies outside of any defined settlement development boundary off Rectory Road. The dwelling, Hedgerows, is located to the north east corner with a vehicular access. There is also additional agricultural land within the applicant's ownership to the east as shown blue lined on the submitted plan. There are a pair of cottages opposite the dwelling and a large detached house.

The application was previously granted planning permission for the proposed single storey extension to form games/family room. The application is to extend the family room in depth and extend the conservatory to the west.

Works had commenced when the officer undertook the site visit.

### Proposal

The application seeks planning permission for the erection of a single storey extension. The games and family room will measure 7.4 metres in width, 7.6 metres in depth with an overall height of 4.8 metres. The conservatory will measure 4 metres in width, 4.6 metres in depth with an overall height of 4 metres.

### Assessment

The main considerations for this application are the design and appearance, the impact upon neighbouring amenities and Flood Risk.

### Design and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The proposed extension is situated to the rear of the host dwelling and therefore it will not be prominent from the street scene of Rectory Road. The proposed extension is of a size and scale in keeping with the host dwelling, and the site is large enough to accommodate such an extension, retaining sufficient private amenity space. The proposed games/family room will be single storey and it will be constructed from slates and white UPVC windows which will match the existing host dwelling with rendered walls and coated aluminium doors which will give the proposal a modern appearance. The conservatory is also single storey and will have a polycarbon roof which is considered to be acceptable in this location.

### Impact upon neighbouring amenities

The proposal is located on the eastern elevation of the host dwelling and due to the sufficient distance of approximately 110 metres from the neighbouring dwelling to the west as well as the single storey nature of the proposal, it is considered that the extension will not cause any significant impact upon the neighbouring dwelling. There is no neighbouring dwelling to the east of the proposal.

**Flood Risk**

Essex County Council Development and Flood Risk have been consulted on this application and have stated that as the application is not a major application, they do not have any further comments to make. The application is also for a rear extension located outside of a flood zone, the proposal would not result in an impact to flood risk.

**Other considerations**

Frating Parish Council have not commented on this application.

No letters of representation have been received.

**Conclusion**

In the absence of any significant material harm resulting from the development, the application is recommended for approval.

**6. Recommendation**

Approval - Full

**7. Conditions / Reasons for Refusal**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Block Plan Scale 1:500, Drawing No. HF/19/1

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

- 2 The proposed extension shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Hedgerows, Rectory Road, Frating.

Reason - The site is unsuitable for an independent residential unit because of its countryside location.

**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? If so please specify:</b>	YES	NO
---	-----	----

<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	YES	NO