

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	PW	02/07/19
Planning Development Manager authorisation:	TF	03/07/19
Admin checks / despatch completed	AP	3/7/19

*RNE*

**Application:** 19/00713/FUL **Town / Parish:** Bradfield Parish Council

**Applicant:** Mr & Mrs Greenwood

**Address:** Nirvana Steam Mill Road Bradfield

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

### 1. Town / Parish Council

### 2. Consultation Responses

### 3. Planning History

19/00713/FUL	Proposed single storey rear extension.	Current
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### 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

HG9 Private Amenity Space

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

SPL3 Sustainable Design

Local Planning Guidance

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination In Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

### **5. Officer Appraisal (including Site Description and Proposal)**

#### **Proposal**

This application seeks planning permission for a single storey rear extension measuring 4m in depth, to a dwelling within the Development Boundary of Bradfield.

#### **Design and Appearance**

The proposed extension will be sited to the rear of the property, and will not be prominent when viewed from the highway. The design relates well to the host dwelling, and the size and scale is appropriate for the site. The facing brickwork and concrete roof tiles will match the existing property. Adequate private amenity space is retained to the rear of the property.

#### Impact on Neighbours

The proposed extension is sited close the eastern boundary, shared with the adjoining neighbour 'Leyanda'. The 45 degree daylight/sunlight test shows that while the centre of the neighbours rear French window will be obscured in plan, it will not be obscured in section. Furthermore, the rear of the properties are north facing so do not benefit from direct sunlight throughout the day. There will therefore be no significant impact on this neighbour's daylight or outlook.

There is sufficient separation from the western non-attached neighbour '1 Stour Villas' to avoid significant impact on their daylight or outlook.

No side facing windows are proposed, except roof lights to each side facing roof slope, so no the proposal will not affect neighbouring privacy.

#### Other Considerations

Bradfield Parish Council has made no comment on the application, and no other letters or representation have been received.

#### Conclusion

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

## 6. Recommendation

Approval - Full

## 7. Conditions / Reasons for Refusal

- 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: Drawing no. AG-P004.

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.

The applicant is advised that this approval does not provide confirmation to the relocation of the existing garage and shed, as shown on drawing AG-P004, which may not constitute permitted development under the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

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