

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	09/07/2019
Planning Development Manager authorisation:	TF	09/07/2019
Admin checks / despatch completed	AP	10/7/19

*AP*

**Application:** 19/00761/FUL **Town / Parish:** Great Oakley Parish Council

**Applicant:** Mr and Mrs Cole

**Address:** Wisteria Cottage Stones Green Road Great Oakley

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

### 1. Town / Parish Council

Gt Oakley Parish Council No Comments Received

### 2. Consultation Responses

N/A

### 3. Planning History

03/02344/FUL	Single storey extensions and conservatory with new pitched roof over	Approved	12.01.2004
19/00006/FUL	Proposed single storey rear extension.	Refused	01.03.2019
19/00761/FUL	Proposed single storey rear 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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

EN23 Development Within the Proximity of a Listed Building

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

SPL3 Sustainable Design

PPL9 Listed Buildings

### Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 site comprises of an east facing detached dwelling located outside of the development boundary. The dwelling is set back from the road with an adjacent car port. Sited along the front and side boundaries is existing low level fencing. The dwelling benefits from a single storey rear extension which obtained approval under planning reference 03/02344/FUL.

### Proposal

This application seeks permission for the erection of a single storey rear extension.

### Background

This application is a resubmission of a previously refused scheme under planning reference 19/00006/FUL which was refused due to its excessive depth and its impact on the appearance of the existing dwelling and landscape.

This application now shows a reduced depth in line with the Councils recommendations which is believed to overcome the concerns within application 19/00006/FUL

### Assessment

#### Design and Appearance

The proposal will be sited to the rear and due to the open character of the country side will be publicly visible.

The enlargement will be a noticeable feature when viewing the house and when approaching it from the south. When viewing the proposal from the north and east the proposal will be largely screened by the host dwelling reducing its impact within the streetscene.

The proposal will be set back from the front of the site to reduce its prominence within the streetscene and will be finished in materials which are similar in appearance to the host dwelling to ensure its consistency with the existing house.

The proposal will extend the house increasing the depth of the existing roofline resulting in the side elevation appearing large in depth. However, whilst large in depth the proposal has been reduced in size and will only result in clear views when approaching from the south. The rest of the design is considered to be in-keeping with the main house allowing it to relate appropriately to the main dwelling. It is therefore considered that the reduction in size and its siting overcome the initial concerns regarding the bulk and impact on the countryside. The proposal is therefore considered

of a size and scale which would not result in such a significant harmful impact to the overall appearance and character of the dwelling and countryside.

The site is of a large enough size to accommodate the proposal and still retain sufficient private amenity space.

#### Heritage Impact

Sited to the north and west of the site are two listed buildings. The proposal will be sited some distance away from these buildings and would not result in a harmful impact to their character or setting.

#### Impact on Trees

The proposal will result in the removal of a large Ash Tree situated in the garden of the property. Views of this tree are minimal and obtained from a public right of way situated to the east of the site and provide minimal amenity value. Due to its siting and minimal impact to the area the tree does not warrant protection by means of a Tree Preservation Order. As the garden is well planted with established trees the loss of this individual tree is not of such significance to the site or wider area to warrant refusal of this application or to require further landscape details.

#### Impact to Neighbours

There are no neighbouring properties immediately adjacent to the site.

#### Other considerations

Great Oakley Parish Council has no objections to the proposal.  
No further letters of representation have been received.

#### Conclusion

In the absence of harm resulting from the proposed development the 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 plan PA-10A.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.