

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	13/09/2019
Planning Development Manager authorisation:	TF	16/09/2019
Admin checks / despatch completed	ER	16/9/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	16/9/19

Application: 19/01083/FUL **Town / Parish:** Little Bentley Parish Council

Applicant: Mr and Mrs M Morton

Address: Lemon Cottage Tendring Road Little Bentley

Development: Proposed two storey and single storey rear extensions.

1. Town / Parish Council

Not Applicable

2. Consultation Responses

Not applicable

3. Planning History

05/00925/OUT	Residential house to replace existing bungalow	Approved	19.07.2005
06/01454/FUL	Replacement dwelling and garage.	Approved	18.12.2006
15/00271/FUL	Proposed single storey side extension to form dining area.	Approved	16.04.2015
19/01083/FUL	Proposed two storey and single storey rear extensions.	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

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

SPL3 Sustainable Design

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 application site comprises of a south facing detached dwelling outside of the development boundary.

Proposal

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

Assessment

Design and Appearance

The proposal will be sited to the rear of the main dwelling however due to the open nature of the plot will be publicly visible within the streetscene.

The proposal will be lower in height than the main dwelling and will be set back from the front of the site which will reduce its prominence within the streetscene.

The proposal will be lower in height to the main dwelling and sited to the rear which will allow it to appear as a subservient addition to the main house.

The existing house is finished in render with a single storey side extension approved under planning permission 15/00271/FUL which has been finished in boarding. The proposal will be finished in boarding which matches the existing extension. Whilst this does not match the existing house as the proposal will be largely to the rear and significantly set back from the front of the site it will not appear as an adversely harmful feature to the main dwelling or within the streetscene.

The site is situated outside the housing settlement limits however as the proposal will be in keeping with the existing character of the dwelling and will not harm the character of the surrounding area the proposal meets Policy HG12 of the Adopted Local Plan 2007.

As a result of the above the proposal would not result in a harmful impact in terms of visual amenity.

Impact on Neighbours

The application dwelling is situated in the middle of the site 10m away from each shared boundary. As a result of this distance from each neighbouring boundary the proposal would not result in a significant harmful impact to each of the neighbouring dwellings.

Other Considerations

Little Bentley Parish Council have not commented on the application.
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 plan: 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.