

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	13/09/2019
Planning Development Manager authorisation:	TF	16/09/2019
Admin checks / despatch completed	SB	17/09/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	EX	17/9/19

**Application:** 19/01073/FUL **Town / Parish:** Great Bentley Parish Council

**Applicant:** Mr & Mrs Cottham

**Address:** 5 Sycamore Place Great Bentley Colchester

**Development:** Proposed first floor side extension to form 2no. bedrooms and bathroom.

### 1. Town / Parish Council

Mrs Parish Clerk

On 5th September 2019 Great Bentley Parish Council Planning Committee resolved to make no comment regarding this application.

### 2. Consultation Responses

N/A

### 3. Planning History

19/01073/FUL      Proposed first floor side extension      Current  
to form 2no. bedrooms and  
bathroom.

### 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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 is located within the development boundary of Great Bentley. It serves a detached two storey dwelling constructed of brick and render with a tiled roof. The front of the site is laid with gravel for parking. The rear has a decked area and is then laid to lawn with close boarding fencing on the North and East boundaries and a high hedge on the South and West boundaries.

### Proposal

This application seeks planning permission for a first floor side extension over the existing single storey part of the dwelling. The first storey side extension proposal will measure a maximum depth of 7.2m, 4.8m wide, and will have a pitched roof with a maximum height of 6.7m from ground floor level.

The proposed materials throughout the development will consist of hardie plank, with a tiled roof.

### Assessment

The main considerations of this application are the design and the impact upon residential amenity.

### Policy Considerations

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

## Design and Appearance

The proposal is considered to be of a scale and nature appropriate to the site and the surrounding area. Whilst the proposal will include materials that differ from the host dwelling, this in itself is not harmful as there are examples throughout Sycamore Place and Cedar Way where hardie plank has been used and will clearly distinguish the extension from the main property. The proposal will be visible from both Harwich Road and Cedar Way. Although the development will be publicly visible it will not have any impact upon the street scene as it is a corner plot with mature hedging to act as screening. Due to the orientation of the property, and that the extension is proposed to be set back from the front elevation by 0.8m, it will only be partly visible on Sycamore Place. It will be viewable mainly on Cedar Way. However, the dwellinghouses here will face the extension and are located a minimum of 11m away from the boundary of 5 Sycamore Place.

The design of the development overall is considered to be acceptable.

## Impact on Residential Amenity

The first storey side extension will not be viewable by 4 Sycamore Place as the host dwelling will screen the extension. To the south boundary is a road, Cedar Way, therefore will cause no neighbour impact.

## Other Considerations

Great Bentley Parish Council have no comment on the application.

No further letters of representation were received.

## Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any 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 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: Dwg No. 5/SPGB/1 and email dated 11th September 2019, referring to colour of proposed materials.

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.

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