

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	25/10/19
Planning Development Manager authorisation:	AN	28/10/19
Admin checks / despatch completed	CC	30/10/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	30/10/19

Application: 19/01322/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Mr Russell Brown

Address: White Lodge Weeley Road Great Bentley

Development: Variation of condition 2 (approved plans) to change the fenestration to french/bi-fold doors for application 18/00741/FUL.

1. Town / Parish Council

Great Bentley Parish Council

At the meeting of Great Bentley Parish Council Planning Committee held on 3rd October 2019 it was resolved to make no comment regarding this application.

2. Consultation Responses

Essex County Council Heritage

The variation of condition application is to vary condition 2 (approved plans) to change the fenestration to french/bi-fold doors for application 18/00741/FUL.

The above concerns the White Lodge, a pre-1923 building located within the Great Bentley Conservation Area. Whilst the proposed variation of the French door design renders it at odds with the remainder of the fenestration of the building, this cannot be said to cause any reasonable degree of harm to the significance of the conservation area and therefore I have no objection.

3. Planning History

TPC/98/29	Repollard 8 Limes and 1 Chestnut	Current	01.05.1998
02/01946/TCA	Remove branch of Scotch Pine tree, overhanging into garden of The Anchorage	Approved	11.11.2002
06/00346/TCA	1 Horse Chestnut - Fell. 1 Pine Tree - Fell. 7 Lime Trees - Re Pollard back to previous points. 1 Lime - Fell.	Approved	04.04.2006
18/00741/FUL	Proposed erection of 1.5 storey extension with 1.5 storey link to existing dwelling and erection of a single garage with cart lodge, following demolition of existing single storey extensions and	Approved	17.07.2018

outbuildings to rear of dwelling.

18/00757/TCA	1 No. 12m Lime, 1 No. 6m Fig tree - fell	Approved	04.06.2018
18/01455/DISCON	Discharge of Conditions 3 (hard & soft landscaping) of 18/00741/FUL.	Approved	10.09.2018

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

EN17 Conservation Areas

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)

PPL8 Conservation Areas

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

Site Description

The application site is White Lodge, which is sited to the easterly section of Weeley Road within the Parish of Great Bentley. The property is a 1.5 storey chalet bungalow of substantial size, largely due to a number of previous extensions dating around the 1940's/1950's and 1980's. The site, particularly to the side and rear boundaries, is well screened. The character of the surrounding area sees a number of residential properties, predominantly detached although adjacent are a pair of semi-detached properties. The site falls within the defined Settlement Development Boundary for Great Bentley in both the Adopted Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft. The site is also located on the eastern edge of the Great Bentley Conservation Area.

Description of Proposal

This application seeks planning permission for the variation of condition 2 of previously planning approval 18/00741/FUL, which allowed the erection of a 1.5 storey rear extension and 1.5 storey link from the proposed extension to the existing dwelling, following the demolition of two single storey rear extensions, a rear dormer and five outbuildings sited to the rear and side of the property.

This application seeks to amend the design of this previously approved scheme to incorporate the following changes:

- A change in the fenestration to the windows serving the bi-fold doors to the south and west elevations; and
- Removal of one rooflight previously to the eastern elevation.

Assessment

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Policy EN17 of the Adopted Local Plan states that development within a Conservation Area must preserve or enhance the character or appearance of the Conservation Area. The sentiments of this policy are carried forward within Policy PPL8 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposal will see only minor alterations to the scheme previously approved under planning permission 18/00741/FUL. The change to the fenestration will be slightly noticeable from views from the west, but only marginally so. The remainder of the works are to the rear of the property, which are not visible from the street scene.

While the site is located within the Great Bentley Conservation and the design differs to the rest of the building, it will not cause any reasonable degree of harm to the significance of the conservation area to warrant a reason for refusal.

Overall the changes are minor in nature and will result in no significant impacts to the character and appearance of the surrounding area, and are therefore considered to be acceptable.

Other Considerations

Great Bentley Parish Council wish to make no comment on the application.

No other letters of representation have been received.

6. Recommendation

Approval.

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

18/00741/FUL:

Drawing numbers 1804-02, 1804-03, 1804-19, 1804-20B, 1804-21, 1804-22B, 1804-23B, 1804-24, 1804-28B, 1804-29B, 1804-30B, 1804-32 and the document titled 'Heritage Statement and Heritage Impact Assessment'.

19/01322/FUL:

Drawing numbers 1804-25C, 1804-26C and 1804-27C.

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

- 2 The scheme of soft landscaping works shall be in full accordance with the details as approved within planning reference 18/01455/DISCON.

Reason - To compensate the loss of the trees and to soften and enhance the appearance of the development within the Great Bentley Conservation Area.

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.