

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	30/10/2019
Planning Development Manager authorisation:	TF	31/10/2019
Admin checks / despatch completed	CC	31/10/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	YAL	31/10/19.

Application: 19/01332/FUL **Town / Parish:** Great Bentley Parish Council
Applicant: Mr & Mrs Shave
Address: Tye Cottage The Tye Road Great Bentley
Development Proposed alterations and extensions.

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

N/A

3. Planning History

19/01332/FUL Proposed alterations and 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
HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design

Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Site Description

The application site is located to the east of The Tye Road, outside the development boundary of Great Bentley. It serves a detached two storey cottage with a single storey rear projection, constructed of render with a slate roof. The site is a large triangular shaped plot with the dwelling located in close proximity to the road, with a hedge, fencing and mature planting enclosing the front boundary shared with the highway. The rear of the site is laid to lawn with a gravel patio area adjacent to the dwelling and various mature trees planted within the site. Wire fencing exists along the rear boundary with open countryside beyond. A detached garage is located to the south of the cottage, with parking for 2 no. cars in front. To the south of the garage is gated vehicular access to the rear garden.

Proposal

The application proposes a first floor extension to sit on the footprint of the existing single storey rear projection; and a single storey extension to the rear. The first floor extension measures 8m deep by 4.9m wide with an eaves height of 4.2m and a ridge height of 5.4m. It also includes a balcony to the rear that projects 1.5m from the rear elevation. The single storey extension will measure 5.8m deep by 2.5m wide, with a flat roof with maximum height of 2.7m. The materials used on the development will consist of render and a slate roof to match the existing dwelling.

Assessment

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

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.

Policy HG12 of the Tendring District Local Plan (2007) seeks to ensure that extensions outside of the development boundary satisfy general design criteria set within the above mentioned policies and amongst other things, development is of a size, scale and height in keeping with the character of the locality, is well related and in proportion to the original dwelling and would not represent overdevelopment of the site.

Saved Policy HG14 of the Tendring District Local Plan (2007) requires that extensions to dwellings over 4m in height should retain appropriate open space between dwellings and the side

boundaries to ensure that new development is appropriate in its setting and does not create a cramped appearance as well as to safeguard the amenities and aspect of adjoining properties.

Design

The proposed extensions are considered to be of a scale and nature appropriate to the site and the surrounding area. The eaves of the first floor extension match the existing dwelling and the ridge height is set slightly below the main dwelling, making it appear subservient and well related in terms of character and appearance. The single storey extension is a modest addition, which is entirely screened from the road and considered to be in keeping with the dwelling. Views of the first floor extension will be limited from the road due to existing planting on and nearby the front boundary, however, any views that are possible are not considered to have an adverse impact on the street scene as the design and use of matching materials are considered acceptable. The plot is large enough to accommodate a development of this scale without it appearing cramped or overdeveloped.

The development will create a bedroom with en-suite, as well as enlarging the kitchen area. The increase in the number of bedrooms may intensify parking at the site. However, there are already 2 no. off road spaces available in front of the garage and a vehicular access to the rear garden also provides for further potential parking in the rear garden. For this reason there is no objection to the level of parking available at the site and the potential impact on parking that the development will have.

Impact on Residential Amenity

The site is located in a countryside location with no adjacent neighbouring properties on the east side of The Tye Road. The closest property is Tye Barn, located to the west of The Tye Road and south of the application site. No views of the development will be possible from this neighbour. As a result, the development will not cause any adverse impact on daylight, privacy or other amenities currently enjoyed by nearby residents.

Other Considerations

Great Bentley Parish Council makes no comments on this application.

No letters of representation have been 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

- 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: Drawing No. STR 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.

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