

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	WC	3/2/2020
Planning Development Manager authorisation:	AN	4/2/20
Admin checks / despatch completed	SOB	05/02/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	RNE	08/02/2020

Application: 19/01877/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Mr, Mrs and Miss Weller

Address: 22 Cedar Way Great Bentley Colchester

Development: Proposed single storey side extension to form bedroom and study.

1. Town / Parish Council

Mrs Parish Clerk

At the meeting of Great Bentley Parish Council Planning Committee held on 9th January 2020 it was resolved to make no comment regarding this application

2. Consultation Responses

3. Planning History

19/01877/FUL	Proposed single storey side extension to form bedroom and study.	Current
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4. Relevant Policies / Government 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

HG14 Side Isolation

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination In Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

5. Officer Appraisal (including Site Description and Proposal)

Proposal:

Single storey side extension: 4.2 metres wide, 7.1 metres in depth, 2.4 m to the eaves, 3.9m to the ridge (approx.) with single lean-to pitch roof and front bay window, set marginally back from the front of the original house. Brickwork and tiles to match existing house.

Site Description:

Detached c1970s house on corner plot (junction of Cedar Way / Birch Avenue) located within housing estate inside the development boundary of Great Bentley. The property has side and rear garden.

Assessment:

One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at Paragraph 130 is to always seek to secure high quality design. Saved Policies QL9, QL10 and QL11 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The NPPF, Paragraph 17, states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the saved plan states that amongst criteria 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The principle of the development is supported in accordance with the above policies, given the development is an extension to an existing building within the development boundary.

The housing estate is characterised by 1970s detached houses of same/similar design following varied formations, some staggered, others in short rows, some directly fronting the street, others angled away. The presence of public amenity / semi-public amenity space also characterises the area.

The side extension would be prominent and visible in the streetscene occupying the side of the house on a corner plot. However given it is single storey only and there is no obvious building line, it is not considered to be overly prominent or to cause significant detrimental impact on the streetscene. It should be noted the existing boundary fence is to be retained and a 1 metre (approx) side gap will be retained, which is considered sufficient spacing.

The proposal is assessed to cause no adverse impact on amenities of neighbouring properties, due its position on the corner, size and scale. The application is therefore considered to be compliant with the above planning policies and recommended for approval.

Other considerations:

No objections from Great Bentley Parish Council

No representations from neighbours have been received.

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: 22/CWGB/1, received 11th December 2019 ;.

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:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO