

## DELEGATED DECISION OFFICER REPORT

| AUTHORISATION   | INITIALS | DATE       |
|---|----------|------------|
| File completed and officer recommendation:                  | AP       | 26/02/2020 |
| Planning Development Manager authorisation:                 | TF       | 27/02/20   |
| Admin checks / despatch completed                           | SB       | 27/02/2020 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | KNE      | 27/02/2020 |

**Application:** 19/01926/FUL **Town / Parish:** Wix Parish Council

**Applicant:** Mr and Mrs Collison

**Address:** 7 Abbots Close Wix Manningtree

**Development:** Proposed two storey side extension.

### 1. Town / Parish Council

n/a

### 2. Consultation Responses

n/a

### 3. Planning History

|              |   |          |            |
|--------------|---|----------|------------|
| 96/00383/FUL | (Redwood House, 7 Abbots Close, Wix) Conservatory and greenhouse  | Approved | 08.05.1996 |
| 97/00688/FUL | (Land rear of 7 Abbots Close, Wix) Change of use of agricultural land to extension to existing garden               | Approved | 30.07.1997 |
| 02/02331/FUL | Change of use of land from agricultural to residential use only, garden land extending each of the existing gardens | Approved | 11.03.2003 |
| 19/01926/FUL | Proposed two storey rear extension.   | 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

HG9 Private Amenity Space

HG14 Side Isolation

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

SPL3 Sustainable Design

Local Planning Guidance

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Proposal

This application seeks permission for the erection of a two storey side extension following demolition of the existing conservatory located within the settlement development boundary of Wix.

### Design and Appearance

The first floor and roof of the side extension will be visible from Abbots Close however due to its position located to the rear of the double garage and behind the entrance hall there will be no significant impact on the street scene and the character of the area will be maintained. The design of the extension does not exactly follow through with the existing in terms of the gable end, the proposal hips the roof of the southern end of the house thereby enabling the creation of a rear glazed gable which is acceptable as it will not significantly affect the character of the existing dwelling. The materials to be used in the construction of the proposal will match the existing dwelling apart from the feature glazing and bi-fold doors which will be aluminium finished in anthracite grey.

The extension will accommodate a bedroom and dressing area at first floor while the ground floor will allow for an open plan family space.

The design and scale of the extensions would result in no material harm to visual amenity.

### Impact upon Residential Amenity

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4 metres in height, as in this case. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary. In this case there is a distance of 0.5 metres to the closest southern side boundary, which although does not meet the policy criteria does not warrant refusal given the

orientation of the dwelling and its position adjacent to the open extended rear garden of 4 Clacton Road, Wix which is situated a distance of at least 55 metres from the dwelling at 4 Clacton Road.

There will be no significant impact to the neighbouring properties of 8 and 6 Abbots Close in terms of loss of light, loss of privacy or overlooking due to the position of the proposal in relation to the neighbouring properties. The new east facing first floor window will be obscured glazed and non-opening which will be secured by condition.

Over 350 square metres of private amenity space will remain following the construction of the proposal which is considered more than adequate and the existing off road parking arrangements will not be affected.

#### Other Considerations

One letter of objection has been received which raises concerns of loss of light and privacy. These issues have been addressed within the report.

No other letters of representation have been received.

#### Conclusion

In the absence of 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 plans: Site and Location Plan and Proposed Elevations & Floor Plans MOD C.

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

- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), the first floor window on the eastern elevation shall be non-opening and glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

### **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.

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