

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	13 th March 2020
Planning Development Manager authorisation:	AN	16/3/20
Admin checks / despatch completed	CC	19/03/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ene	19/03/2020

Application: 20/00094/FUL **Town / Parish:** Little Bentley Parish Council

Applicant: Mr and Mrs Sheekey

Address: 6 Manningtree Road Little Bentley Colchester

Development: Proposed two storey side extension, single storey rear and front porch.
Proposed alteration to approval 18/00214/FUL to allow for additional head room to En-Suite.

1. Town / Parish Council

No comments made.

2. Consultation Responses

No comments received

3. Planning History

18/00214/FUL	Proposed two storey side extension, single storey rear and front porch.	Approved	10.04.2018
20/00094/FUL	Proposed two storey side extension, single storey rear and front porch. Proposed alteration to approval 18/00214/FUL to allow for additional head room to En-Suite.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

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)

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 6 Manningtree Road, Little Bentley, which is a south-west facing two storey dwelling, constructed of white render and tile. The character of the surrounding area is relatively rural, with large areas of open agricultural land to the east and west. The immediate surrounding area sees three sets of semi-detached dwellings, including the application site; whilst to the south, under planning permission 17/00527/FUL, six residential dwellings have recently been approved and are currently under construction.

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rural, with large areas of open agricultural land to the east and west, however the immediate surrounding area sees three sets of semi-detached dwellings, including the application site, whilst to the south, under planning permission 17/00527/FUL, six residential dwellings have recently been approved and are currently under construction.

Description of Proposal

This application seeks planning permission for a two storey side extension, a single storey rear extension, and a front porch.

Principle

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. The dwelling is located outside the settlement boundary. Policy HG12 requires that 'Proposals for an extension to an existing dwelling outside the defined development boundaries of settlements will be permitted provided that the extension or replacement satisfies the general design criteria set out in Policies QL9 and QL10'. In addition, the proposal must:-

- o be of a size, scale and height and in keeping with the character of the locality
- o its design and materials would make a positive visual contribution to its setting
- o be well related and in proportion to the original dwelling
- o not be visually intrusive on a skyline or in the open character of the surrounding countryside
- o retain sufficient space around the dwelling to protect its and the amenity and character of the countryside
- o not represent over-development of the site or be detrimental to highway safety
- o not adversely affect adjoining properties or main habitable rooms in terms of privacy, amenities and aspect
- o not exacerbate any existing access, drainage or other problems associated with the site.

The principle of this development has already been established at application 18/00214/FUL which was approved in April 2018. In regards to the proposed amendment to the approved plans; this is primarily to the design at the front of the extension at first floor level. The proposal is considered to be of a size, scale and height and in keeping with the character of the locality, being of a design and finished in materials would make a positive visual contribution to its setting which would continue to be well related and in proportion to the original dwelling.

Assessment

The main elements of assessment for this proposal are the visual impact, the impacts to neighbouring amenities and parking.

Visual Impact

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).

The proposed works are situated to the front, side and rear of the host dwelling. Therefore, the majority of the works will be visible from the street, thus potentially impacting upon the character of the existing area. Whilst it is acknowledged that the existing arrangement to this section of Manningtree Road sees three sets of symmetrically placed semi-detached properties, planning permission 17/00527/FUL for six detached dwellings to the south of the application site, which are currently under construction, will ensure that the area is not defined by semi-detached properties.

Against this backdrop, there is not necessarily a set character to be adhered to, meaning the proposed side extension in particular will not appear incongruous.

As initially submitted the plans showed a very noticeable increase in eaves at the front elevation (to allow for an increase in head-height internally). It was considered that the resultant development would have an unbalancing and therefore harmful impact on not only the host dwelling which would in turn harm the established uniform pattern of development these cottages have. Amendments to the plans were negotiated and received on 6th March 2020 that retained the height of the existing eaves, but introduced a front gable to replicate the original front gable instead. The amended design is considered to be well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form.

The proposal remains as a clearly distinguishable extension to the host dwelling, whilst the design of both the porch and rear extension are both acceptable and will not detract from the areas character. Moreover, it is noted that all of the proposed materials are in-keeping with the host dwelling, further ensuring its acceptability in design terms.

Impact to Neighbouring Amenities

The NPPF, at 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 other 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 proposed development will be visible to the adjacent neighbour to the north-west, Number 5 Manningtree Road, and whilst there are currently no adjacent neighbouring properties to the south-east, there are dwellings currently under construction, and any future impacts to their amenities must be considered.

In terms of the adjacent neighbour to the north-west, part of the proposal will be visible, namely the single storey rear extension and front porch. However, given the single storey nature there will be no impacts in terms of overlooking, loss of light or the proposals appearing imposing. Whilst the two storey rear extension will result in an additional first floor rear elevation window to serve a bedroom, views from it are likely to be to the rear section of the neighbouring garden, an area less likely to be occupied, and therefore the potential overlooking harm will not be significant.

Whilst the majority of the proposal, namely the two storey side extension, will be visible to the future occupiers of the development to the south-east, there is an approximate separation distance of 15 metres which will ensure the proposals do not appear imposing or result in significant loss of light. Furthermore, the two storey extension has been designed to ensure no first floor side elevation windows, which could result in potential overlooking, and whilst there is an additional first floor rear elevation window views will not be to private garden area due to the future dwellings being sited approximately 10 metres behind the existing building line.

Therefore, on balance, there is not considered to be significant material harm to existing neighbouring amenities to warrant a reason for refusal.

Parking

Essex County Parking Standards state that for a dwelling of two or more bedrooms, two parking spaces shall be provided at measurements of 5.5m x 2.9m, or 7m x 3m if a garage is used as a space. The proposed development will result in the loss of the existing garage. However, given that the existing garage does not meet the above requirements and that there will remain significant space to the front of the dwelling to provide the necessary two spaces, the parking provision is considered to be acceptable.

Other Considerations

Little Bentley Parish Council has not commented.

Conclusion

In the absence of any significant material harm as a result of the proposed 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: 1710- P02C, received 6th March 2020.

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

8. Informatives

Application Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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?		NO
Are there any third parties to be informed of the decision?		NO