

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	1 st April 2020
Planning Development Manager authorisation:	TF	01/04/2020
Admin checks / despatch completed	CC	01/04/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	LN	01/04/2020

Application: 20/00177/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Ms Giles

Address: Northview House The Green Great Bentley

Development: Proposed single storey rear extensions and internal alterations.

1. Town / Parish Council

Great Bentley Parish Council At Great Bentley Parish Council Planning Committee meeting held on 5th March 2020 it was resolved to make no comment regarding this application.

2. Consultation Responses

No comments received

3. Planning History

16/00251/TCA	1 No. Cherry - Fell.	Approved	22.03.2016
20/00177/FUL	Proposed single storey rear extensions and internal alterations.	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

EN17 Conservation Areas

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

PPL8 Conservation Areas

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 located in the village of Great Bentley, sited in the south-eastern corner of The Green. The dwelling is a late Victorian right hand of a pair of semi-detached cottages finished externally in self-coloured roughcast render, the eaves of the slate roof are finished in an attractive detailing which is specifically mentioned in the Conservation Area appraisal and the front elevation has a porch addition. The windows have historically been replaced with uPVC casements.

Description of Proposal

The application proposes a simple single storey rear extension measuring approximately 3m x 3m, it would be finished externally in materials to match the existing dwelling and have a roof which would be a continuation of the existing rear projection. The submitted plans also indicated an area of decking; this surface does not exceed 30cm in height and as such is not defined as a raised platform – for which an express grant of planning permission would be required.

Principle

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

Design & Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. 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 scale and design of the addition entirely respects not only the character and scale of the original dwelling but wider streetscene in general.

Impact to Neighbouring Amenities

The NPPF, at paragraph 127 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 layout of the site is awkward, with the rear garden extending in an inverted 'L' shape behind the rear boundary of the attached neighbour to the left. The occupiers of this dwellinghouse currently experience open and uninterrupted views over their entire amenity area. The siting and flat roof of the addition are such that it will not be overbearing as a result of its bulk – nor would it cause a significant reduction in daylight. As such, the proposal would not worsen the current situation and for this reason the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties

Conservation Area

Heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The character of an area is made up not only by individual buildings but also their relationship to each other and the sense of place that they create. The setting of a building is therefore a material consideration when assessing the suitability of development proposals in Conservation Areas.

Paragraph 192 of the NPPF requires the Local Planning Authority, when determining applications for development, to take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important

the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Policy EN17 of the Saved Plan (Development within a Conservation Area) requires that development must preserve or enhance the character or appearance of the Conservation Area. Development will be refused where it would harm the character or appearance of the Conservation Area, including historic plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain, or significant natural or heritage features. Emerging Policy PPL8 reflects this consideration.

Great Bentley derives most of its special qualities from its immense green. The village contains relatively few listed buildings, and few others could be regarded as of great historic or architectural interest. However, many share a family relationship in their scale, colouring and the use of local materials: they group together to make attractive sequences, and their positive relationship with The Green produces a quite distinct character and appearance. A subsidiary part of the Area relates to development southwards to join The Green with the railway station: further distinctive streets are the result, again created by the attractive grouping of buildings not otherwise of great individual value.

This tour of buildings fronting The Green is completed by the final section west of Station Road. A varied group of pebble-dashed cottages under hipped slate roofs leads to Lea Brow, an attractive symmetrical composition of late Victorian date with pretty detailed eaves and bargeboards. The eaves detail is repeated on the next pair of cottages, which lead to Jasmine Cottage and Jasmine Place, attractive old cottages with a small courtyard-like front garden dominated by a maturing sycamore. Further enclosure is given by the boldly projecting cricket club pavilion, though the forecourt with its little picket fence and the large shed to the rear are in a poor state of maintenance.

Overall, being a continuation of the existing built form at the rear of the property, finished externally in materials to match those which exist, the proposal is considered to preserve the character of the Conservation Area.

Highway Issues

The proposed development neither generates an additional need for parking nor decreases the existing parking provision at the site.

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:- 01A, 03B and 04B received 7th February 2020.

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?		NO
Are there any third parties to be informed of the decision?		NO