

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SOB	12/05/2020
Planning Development Manager authorisation:	SCE	12/05/2020
Admin checks / despatch completed	CC	12/05/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	12/05/2020

Application: 20/00393/FUL **Town / Parish:** Mistley Parish Council
Applicant: Sean Barnes
Address: 132 Harwich Road Mistley Manningtree
Development: Proposed single storey rear extension.

1. Town / Parish Council

Mrs Susan Clements At its Meeting on the 27th April 2020, the Parish Council
28.04.2020 recommended approval on this proposal.

2. Consultation Responses

N/A

3. Planning History

06/00970/FUL	Dropped kerb for access to property for off road parking and an area of hardstanding to replace existing grass verge.	Approved	08.09.2006
20/00393/FUL	Proposed single 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

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is located to the south of Harwich Road, in the boundary development area of Mistley. It serves a semidetached two storey dwelling, constructed of brick with a tiled roof. The front of the site is laid to lawn with a low closeboard wooden fencing which continues to the side boundary adjoining 134 Harwich Road. There is a large area of hardstanding to the opposite site with space for more than two cars. There is a closeboard wooden fencing to the side and rear boundary. The rear garden is laid to lawn with an assortment of shrubs and plants.

Harwich Road street scene consists of detached, semi-detached, single and two storey dwellings in brick, render, and cladding. Many properties have been extended or altered in some way.

Proposal

The application proposes a single storey rear extension. The extension will measure approximately 6.9m wide by 4m deep and 4m in height.

The development will be constructed using brick, and concrete plain tiles with UPVC window and doors to match the existing dwelling.

Assessment

The main considerations of this application are the design and 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.

Design

The proposed single storey extension will be finished with a tiled roof and brick on the external walls. A mixture of house types, styles and materials are evident along Harwich Road, ensuring that the extension will not look out of place. The extension will be to the rear of the dwelling and due to its position it will not have a significant impact on the street scene.

The design and scale of the extension and acceptable in relation to the host property and would result in no material harm to visual amenity.

Impact on Residential Amenity

The proposed single storey extension will be 0.35m from the boundary with 134 Harwich Road. The position of the extension is not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

Other Considerations

Mistley Parish Council supports 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 / Reasons for Approval

- 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 received;.0259/PL/01 0259/PL/02 0259/PL03

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