

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SOB	26/05/2020
Planning Development Manager authorisation:	SCE	26.05.2020
Admin checks / despatch completed	CC	26.05.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	26.05.2020

**Application:** 20/00440/FUL **Town / Parish:** Mistley Parish Council  
**Applicant:** Mr and Mrs Woodward  
**Address:** 8 Falklands Drive Manningtree Essex  
**Development:** Proposed single storey edwardian styled conservatory with an authentic looking tiled roof to the rear of the property.

### **1. Town / Parish Council**

Mrs Susan Clements                      At its Meeting on the 14th May 2020, the Parish Council's  
15.05.2020                                      Planning Committee recommended approval.

### **2. Consultation Responses**

Essex County Council                      Built Heritage Advice pertaining to an application for: "Proposed single  
Heritage                                              storey Edwardian styled conservatory with an authentic looking tiled  
13.05.2020                                              roof to the rear of the property".

The property is located within Mistley and Manningtree Conservation Area.

Considering the host building and the area in which this has been built, and while I do not consider this to be a high quality addition to the Conservation Area, I do not believe that it will result in harm to the Conservation Area.

I am therefore unopposed to the application.

### **3. Planning History**

03/02198/TCA	Remove 2 Rowan trees	Approved	12.12.2003
20/00440/FUL	Proposed single storey edwardian styled conservatory with an authentic looking tiled roof to the rear of the property.	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

EN17 Conservation Areas

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

SPL3 Sustainable Design

PPL8 Conservation Areas

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

##### **Application site**

The application site is located to the west of Falklands Drive, a cul de sac development located within the Mistley and Manningtree Conservation Area, in an area of Outstanding Beauty. It serves a two storey linked detached dwelling with attached garage constructed of brick with a tiled roof.

To the front boundary of the site is a blocked paved driveway with more than 2 car parking spaces available. There is a low brick wall to one of the side boundaries and a low hedgerow to the other side. The rear of the site is mainly laid to lawn with shrubbery, a patio area.

## **Proposal**

This application seeks planning permission for a single storey Edwardian styled conservatory with an authentic looking tiled roof to the rear of the property. The proposed conservatory will measure a maximum depth of 4m, 3.3m wide, and will have a pitched roof with a maximum height of 3.1m.

## **Assessment**

The main considerations of this application are the design, impact on the conservation area and the impact on residential amenity.

## **Policy Considerations**

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.

Policy EN17 of the Tendring District Local Plan 2007 and Policy PPL8 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) state that development within a Conservation Area must preserve or enhance the special character or appearance of the Conservation Area.

## **Design and Appearance**

The proposed rear conservatory is considered to be of a scale and nature appropriate to the site and the surrounding area. There will be no views of the extension from Ford Lane, so the development will not be publicly visible from the Highway or have any impact upon the street scene.

The proposed development is therefore considered to be in keeping with the host dwelling and is acceptable in design terms.

Place Services Built heritage advice pertaining to the proposed single storey Edwardian style conservatory with authentic looking tiled roof to the rear of property, do not consider it to be a high quality addition to the conservation area, but do not believe that it will result in harm to the conservation area.

## **Impact on Residential Amenity**

As the proposal is for a single storey conservatory and due to the distance to the neighbouring property, there will be no loss of light or overlooking.

## **Other Considerations**

Manningtree Parish council supports the 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 ;. Drawing No. 3002040/1

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.

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