

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	06/07/2020
Planning Development Manager authorisation:	TF	06/07/2020
Admin checks / despatch completed	CC	08/07/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	08/07/2020

Application: 20/00563/FUL **Town / Parish:** Alresford Parish Council

Applicant: Mt T Ayling

Address: Hazelmere St Osyth Road Alresford

Development: Proposed two storey and first floor rear/side extension.

1. Town / Parish Council

Alresford Parish Council No objection to this application

2. Consultation Responses

n/a

3. Planning History

20/00563/FUL Proposed two storey and first floor rear/side 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
Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities ‘Garden Communities’ proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector’s advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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 a two storey and first floor rear/side extension to a semi-detached house located outside of the settlement development boundary of Alresford as defined in the Tendring District Local Plan 2007, however the application site lies within the settlement development boundary of Alresford as defined in the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Design and Appearance

The proposal will extend the house at first floor over the footprint of the existing single storey element of the house ensuring it does not project further than the rear elevation of the adjoining house. The two storey extension will extend to the full width of the house however due to its position at the rear with a lower ridge height than the existing, ensures that the proposal does not appear as a prominent feature in the street scene. Matching brickwork and slate roofing will tie the old and new together ensuring there is no significant impact to the character of the existing dwelling.

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

Impact upon Residential Amenity

The proposed first floor/two storey extension will be constructed up to the north western side boundary of the adjoining semi-detached property of Gyllyndune and will be a distance of 0.91 metres from the south eastern side boundary shared with Floral Cottage. 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. 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. Although a distance of 1 metre has not been met to each side boundary, when taking into account the position of the extension to the rear of the property, the depth of the neighbouring properties and their orientation along with consideration against the criteria in the Essex Design Guide the proposal is deemed acceptable.

Due to its position up to the north western side boundary the proposal has the potential to result in loss of light to the property of Gyllyndune and therefore the calculations specified within the Essex Design Guide have been applied. The 45 degree line would intercept the rear facing windows of Gyllyndune in plan, however would intercept less than half of the affected rear facing windows in elevation, ensuring there is no significant loss of light to this neighbour.

There is also the potential of the proposal to result in loss of light to the property of Floral Cottage. The 45 degree line would intercept just the one side facing first floor window in plan, however would not intercept any windows in elevation, ensuring there is no significant loss of light to this neighbour.

The careful design of the proposal with a low ridge height and positioning of the windows will ensure that there will be no significant impact in terms of loss of privacy or outlook to either neighbour.

There will be no change to the off road parking provision at the front of the property. 97 square metres of private amenity space will remain following the construction of the proposal, although this is just under the recommended 100 square metres for a three bedroom property the space remains a usable shape and space, and is therefore considered acceptable.

Other Considerations

Alresford Parish Council has no objection to this application.
No further 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 plan: Drawing No. 2668/02.

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