

**DELEGATED DECISION OFFICER REPORT**

<b>AUTHORISATION</b>	<b>INITIALS</b>	<b>DATE</b>
File completed and officer recommendation:	JD	24/08/2020
Planning Development Manager authorisation:	AN	24/08/2020
Admin checks / despatch completed	DB	24.08.20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	24.08.2020

**Application:** 20/00848/FUL **Town / Parish:** Tendring Parish Council  
**Applicant:** Mr & Mrs C Naphine  
**Address:** The Firs Heath Road Tendring  
**Development:** Proposed single storey side extension and garage extension.

**1. Town / Parish Council**

Mrs Michelle Salazar  
31.07.2020

Tendring Parish Council had no objection to the application.

**2. Consultation Responses**

Not applicable.

**3. Planning History**

94/00655/FUL	(The Firs, Heath Road, Tendring) Snooker room and cover to swimming pool	Approved	12.07.1994
95/01398/FUL	(The Firs, Heath Road, Tendring) Retention of 1.8 metre high timber fence adjacent to roadside	Approved	17.05.1996
96/00625/FUL	(The Firs, Heath Road, Tendring) Extensions to study and kitchen. Provision of shed for storage of garden equipment	Approved	17.06.1996
03/00740/FUL	Conservatory	Approved	30.05.2003
90/00327/OUT	Proposed detached house, garage and ancillary works.	Refused	25.04.1990
20/00849/FUL	Proposed outbuilding and replacement 2m high boundary wall with timber gates and entranceway.	Current	

#### **4. Relevant Policies / Government Guidance**

*NPPF National Planning Policy Framework February 2019*

*Tendring District Local Plan 2007*

QL9 Design of New Development

QL11 Environmental Impacts and Compatibility of Uses

HG9 Private Amenity Space

HG12 Extensions to or Replacement of Dwellings outside Settlement Development Boundaries

HG14 Side Isolation

EN1 Landscape Character

TR7 Vehicle Parking at New Development

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

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

PPL3 The Rural Landscape

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Site Description

The application property is a substantial detached house on the western side of Heath Road at Tendring Green.

The site is outside any Development Boundary, the nearest Development Boundary being that of Tendring Green to the south.

### Proposal

Proposed single storey side extension and garage extension.

An existing double garage would be made some 3m wider, retaining its depth of 5.7m, to enlarge it to a triple garage. The side hipped roof form would be extended to the side over the new garage enlargement.

The kitchen would be enlarged by a side extension 4.3m wide by 8.7m deep.

A canopy area would infill an internal corner created by the kitchen extension.

A lantern style roof light would be set on the kitchen extension and on the roof of the canopied area behind the kitchen.

The flat roof of the kitchen extension and canopied area would be hidden from any view from in front of the house by a new piece of ridged roof linking a side hip of the house with the hipped roof of the garage.

### Appraisal

This is a prominent property in the streetscene but no material adverse impact is envisaged from the proposals. The widening of the garage façade would make it better proportioned in relation to the house. The proposals are acceptable with regard to Policy QL9.

The proposal would meet all functional requirements in accordance with Policy QL10.

Policy HG12 states that proposals for an extension to an existing dwelling outside the defined development boundaries, as this property is, will be permitted provided that the extension satisfies the general design criteria set out in Policies QL9 and QL10 and, in addition, that it satisfies a number of criteria. The first criterion is that the extension is of a size, scale, and height in keeping with the character of the locality and in terms of design and materials would make a positive visual

contribution to its setting. Given the substantial scale and almost grand style of the existing dwelling, the proposals would have no noticeable effect. The second criterion is that the development is well related and in proportion to the original dwelling. This is considered to be the case. The proposals would not be visually intrusive or on a skyline or impact on the open character of the surrounding countryside and according the proposal is acceptable with regard to the third criterion. The proposals would retain sufficient space around the dwelling to protect its setting and the amenity and character of the countryside would be retained. As such the proposals would be in keeping with the fourth criterion. The proposal would not represent over-development of the site. The development would not be detrimental to highway safety. The proposal would not adversely affect any neighbour. Accordingly the proposal would be acceptable with regard to all relevant criteria of Policy HG12.

The development would not be noticeable in the landscape and accordingly is acceptable with regard to Policy EN1.

The scale of the curtilage, the distance from any neighbour, is such that there would be no adverse impact to any neighbour. The proposals are acceptable with regard to Policy QL11.

Letters of notification were sent to occupiers of 2 neighbouring properties. No response has been received.

**6. Recommendation**

Approval.

**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 plans: EX00 A; PL00 A; EX01; PL01; PL02; and, PL03.

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

**8. Informatives**

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.

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