

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	22/10/2020
Planning Development Manager authorisation:	TF	22/10/2020
Admin checks / despatch completed	DB	22/10/20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	22/10/2020

**Application:** 20/01110/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Alfie Byrne

**Address:** Rookery House Little Clacton Road Great Holland

**Development:** Proposed single storey side and rear extensions.

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

Frinton and Walton Town Council  
The Parish recommends approval.  
21.09.2020

### **2. Consultation Responses**

Not Applicable

### **3. Planning History**

07/00154/FUL	Replacement dwelling.	Approved	27.03.2007
10/00122/FUL	Replacement dwelling. (Extension of time on previously approved 07/00154/FUL).	Approved	29.03.2010
13/00126/FUL	Proposed replacement dwelling.	Approved	17.04.2013
15/00321/FUL	Erection of a single detached dwelling comprising of 4 bedrooms with associated proposed off street parking, detached garage and landscape works.	Approved	26.05.2015
15/01113/DISCON	Discharge of conditions 03 (Materials) 06 (Construction Method Statement) and 08 (Tree Survey) of Planning Permission 15/00321/FUL.	Approved	10.09.2015

### **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
- EN1 Landscape Character

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

- SPL3 Sustainable Design
- PPL3 The Rural Landscape

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### **Site Description**

The application site relates to Rookery House Little Clacton Road Great Holland which is located outside the settlement boundary.

## Proposal

This application seeks planning permission for single storey side and rear extensions.

## Assessment

The main considerations for this application are;

- Design and Appearance
- Impact upon Neighbouring Amenities
- Trees and Landscaping
- Other Considerations

## Design and 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.

This application proposes a rear extension which will be located to the north elevation with some glimpses of the proposal from Little Clacton Road. However, due to the set back from the highway as well as the single storey nature of the proposal comprising of a flat roof as well as the existing vegetation and the use of matching materials to those of the host dwelling, it is considered that the proposed development is acceptable in terms of design and appearance.

The side extension will be located to the western elevation and will be visible to Little Clacton Road, however due to the existing vegetation which will help to screen the proposed development as well as the single storey nature and the use of matching materials, the proposed extension is considered acceptable in terms of design and appearance.

## Impact upon 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).

There is no neighbouring dwelling to the west or the north and therefore it is considered that the proposed development will not cause any significant impact upon neighbouring amenities.

## Trees and Landscaping

The construction of the two small extensions will not adversely affect the protected trees on the application site.

The site is well screened and there is no need to secure additional soft landscaping associated with the development proposal.

An Arboricultural Impact Assessment (AIA) has been provided to demonstrate that the trees will not be harmed by the development proposal. A condition will be imposed to ensure that the construction of the development is carried out in accordance with the details as submitted.

Other Considerations

Frinton and Walton Parish Council recommend this application for approval.

No letters of representation have been received.

**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 - 2307-CAL-XX-ZZ-DR-A-0100-S2 - Site Plan and Block Plan
- Drawing No - 2307-CAL-XX-ZZ-DR-A-0102-S2-P1 - Proposed Ground Floor Plan and Elevations
- Drawing No - 2307-CAL-XX-ZZ-DR-A-0103-S2 - Landscaping Plan

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

- 3 The hereby approved development shall take place fully in accordance with the tree/hedgerow protection measures set out in the submitted Arboricultural Impact Assessment (Ref no. - 906) (prepared by Cowan Architects Ltd dated 8th October 2020).

Reason - In order to suitably protect the existing trees/hedges on the boundaries of the site for the benefit of the character and appearance of the surrounding area and the ecology of the site.

**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.

<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>