

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	11/11/2020
Planning Development Manager authorisation:	TC	11/11/2020
Admin checks / despatch completed	ER	11/11/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	11/11/2020

Application: 20/01191/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Mr and Mrs Bell

Address: Ivanhoe Station Road Great Bentley

Development: Proposed two storey side extension.

1. Town / Parish Council

Great Bentley Parish Council 05.11.2020	At Great Bentley Parish Council Planning Committee meeting held on 5th November 2020 the Parish Council resolved to make no comment on this application
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2. Consultation Responses

Essex County Council Heritage 21.10.2020	<p>RE: Ivanhoe, Station Road, Great Bentley, Colchester, Essex, CO7 8LJ</p> <p>This application is for a proposed two storey side extension. I would be unable to support the proposal. Ivanhoe and Vakaviti are a pair of nineteenth century semi-detached cottages that mirror in design. Their form has remained largely unchanged and the pair are considered to make a positive contribution to the area. Therefore, when assessing the potential harm caused by the proposal, it is important to consider the impact on the pair. The proposed two-storey side extension is large and would double the width of Ivanhoe. The proposal would diminish the balanced appearance of the properties, thus detract from their aesthetic and architectural value. I acknowledge that a previous, similar application was granted permission (15/01567/FUL) in 2015. However, this application is no longer extant, and I consider both schemes to be inappropriate and unsympathetic.</p> <p>The proposals would, in my opinion, fail to preserve or enhance the character and appearance of the Conservation Area, contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regards to the National Planning Policy Framework (2019), the level of harm is considered to be 'less than substantial' as per paragraph 196. 'Great weight' should be given to the heritage asset's conservation as per paragraph 193.</p> <p>There may be potential for a two-storey rear extension or single storey side extension, however, it's the acceptability would be dependent on an appropriate scale and form, using high quality materials. This will ensure that the scheme is in accordance with paragraph 200 of the NPPF.</p> <p>Yours sincerely, Seren Wilson Historic Environment Team</p>
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3. Planning History

15/01567/FUL	Proposed two storey side extension to form living room, bedroom and en-suite.	Approved	30.11.2015
20/01191/FUL	Proposed two storey 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

EN17 Conservation Areas

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

SPL3 Sustainable Design

PPL8 Conservation Areas

Local Planning Guidance

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

Proposal

The application seeks permission for a two storey side extension to a semi-detached house located within the development boundary and conservation area of Great Bentley. A previous application for a similar two storey extension has been previously approved under reference 15/01567/FUL although this permission has now expired.

Design and Appearance

Ivanhoe is one of a pair of nineteenth century red brick cottages with brick detailing that is surrounded by residential properties of differing ages and various styles. The cottage has been previously extended to the rear with single storey flat roof additions, while the neighbouring property of Vakaviti has also been extended, with two storeys to the rear. The two storey extension will be built on the southern side elevation of the existing cottage, set back from the front elevation by 1.7 metres with a lower ridge height and hipped roof which complements the existing dwelling. The external finish will match that of the existing dwelling which will include the brick detailing on the front south eastern corner. The extension will be publicly visible from the front and side due to the corner plot location of the cottage, next to a private road with a side garden however as a result of the respectful design will not have a significant impact on the character of the existing dwelling or the immediate area. The existing mature hedge will remain will remain on the southern and eastern boundaries.

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

Impact upon residential amenity

The proposal is positioned so as not to have a significant impact on the neighbouring properties in terms of loss of light, privacy or overlooking. At first floor the extension provides a bedroom and en-suite with one window on the front elevation facing Station Road and one window on the side elevation. The original cottage has a first floor side facing window and therefore the new side facing window will not significantly increase the risk of overlooking taking into account the side garden and private road creating a divide between the next property to the south.

The existing off road parking arrangements will not be change and only provide space on the driveway for one car to park off the road in a space that meets the car parking standards where one space measures 5.5 metres x 2.9 metres. The property is however located in very close proximity to the village train station and local facilities meaning its sustainable location allows for a lesser car parking standard to be acceptable as in this case.

96 square metres of garden space will remain following the construction of the proposal which is just short of the required 100 square metres recommended for a three bedroom dwelling, although this is considered acceptable given the usable shape of the garden that remains.

Heritage

Due to the application site being located within the Great Bentley Conservation Area the applicant has submitted a heritage statement in order to justify that the proposal will enhance and preserve the surrounding area. The Conservation area appraisal describes Station Road and acknowledges the host dwelling as a pair of cottages as follows, *'Station Road by contrast with Plough Lane is a wide thoroughfare but with a very much more relaxed feel. Development on the west side is more consistently of interest than that of the east which is excluded from the Area. A pair of cottages under a single hipped roof and another modern house of bland design in a red brown brick, takes us back to The Green'.*

Due to the location of the application site within the conservation area, Essex County Council Place Services have been consulted for heritage advice. Place Services do not support the proposal due to the potential harm that is caused to the conservation area which in their opinion fails to enhance or preserve it. On balance the two storey side extension by way of its subservience, which is considered an appropriate scale and form, ensures the front elevation of

the pair of cottages and original hipped roof can still be appreciated with the brick detailing that both benefit from and the character and the appearance of the conservation area has been taken into account.

Other Considerations

Great Bentley Parish Council resolved to make no comment on the application.

No other letters of representation have been received.

Conclusion

In the absence of any 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 plans: Drawing No. IGB/20/2 - proposed elevations and floor plans, and IGB/20/2A - Block Plan.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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