



78/00309/FUL	1 detached bungalow	Refused	02.08.1978
89/01663/FUL	Change of use from agricultural contraction workshop to storage ( class B8 ) relating to import of clothing and ancillary transfer printing of cotten / nylon goods	Approved	07.11.1989
90/00266/FUL	New building to be used for the storage of files and data.	Withdrawn	13.08.1990
90/00529/FUL	Toilet and lobby extn ( unit 1 )	Approved	01.06.1990
84/00421/FUL	Erection of steel frames agricultural building etc	Approved	20.06.1988
88/00927/FUL	Removal of agricultural occupancy restriction ( imposed as condition as 65/00194/FUL )	Approved	05.07.1988
89/00441/FUL	Proposed detached garage	Approved	21.04.1989
89/00595/FUL	Change of use from agricultural contractors workshop for scenic and creative artist	Approved	23.05.1989
89/01394/FUL	Change of use from agricultural engineers to light indust and erection of light indust starter units	Refused	17.10.1989
78/01436/FUL	Three bedroom detached bungalow	Approved	15.11.1978
79/00389/FUL	Erection of a bungalow	Approved	23.05.1979
20/01123/FUL	Proposed two storey 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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

HG14 Side Isolation

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

SPL3 Sustainable Design

## **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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 side and rear extension to a detached house outside of any development boundary located close to Ardleigh Reservoir along a rural lane.

### **Design and Appearance**

The house is sited unusually on the application site where the front elevation faces south east towards the private garden area with circular turning and parking in front of the house. The rear elevation of the house faces the lane but is well screened by mature high hedging. The only glimpse of the house and its detached double garage is as you pass the driveway access. The proposed extension adjoins the northern end of the house which is not publically visible. The eaves height match the existing dwelling while a crowned roof has been chosen to keep the roof height low and appearing subservient. Matching brick and tiles will be used to tie the extension in with the existing, with render at ground floor level on the north facing side elevation and a glass balustrade enclosing the first floor terrace introduce modern elements of design which are acceptable in this case.

Saved Policy HG12 of the Tendring District Local Plan 2007 permits extensions to an existing dwelling outside of Settlement Development Boundaries however the development must satisfy the general criteria set out in Policies QL9 and QL10 and, in addition, that it is of a size, scale and height in keeping with the character of the locality and is well related and in proportion to the original dwelling. In this case the two storey extension although a generous size, is in proportion to and is set back from the front elevation of the existing dwelling ensuring its acceptability in this regard.

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

#### Impact upon Residential Amenity

The proposal is sited a distance of 8.2 metres from the western boundary with Crown Lane South, over 20 metres from the southern side boundary shared with the Vale View Business Units and 38 metres to the northern side boundary which runs alongside a private access road serving the reservoir. The first floor terrace will overlook the private garden and have views of the reservoir, it will be screened from the road by high hedging on this boundary. Due to the distance from all site boundaries, the proposal is not considered to have any material adverse impact to loss of privacy, loss of light or outlook to any of the surrounding neighbouring properties.

There will be no change to the off road parking provision at the property and over 2500 square metres of private amenity space remains which is considered more than adequate.

#### Other Considerations

Ardleigh Parish Council supports 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 numbers 07/15 Rev: D, 08/15 Rev: D, 09/15 Rev: D, 10/15 Rev: D, 11/15 Rev: D, 12/15 Rev: D, 13/15 Rev: D, 14/15 Rev: D and 15/15 Rev: D.

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.

<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