

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	29/01/2021
Planning Development Manager authorisation:	SCE	04.02.2021
Admin checks / despatch completed	DB	04/02/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	04/02/2021

**Application:** 20/01499/FUL **Town / Parish:** Great Oakley Parish Council

**Applicant:** Mr & Mrs Taylor

**Address:** Bevendean Beaumont Road Great Oakley

**Development:** Proposed single storey rear extension.

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

Great Oakley Parish  
Council  
22.01.2021

No objection

### **2. Consultation Responses**

Not applicable

### **3. Planning History**

12/00346/FUL	Demolish existing conservatory and garage and erect single storey rear extension and new garage.	Approved	21.05.2012
20/01499/FUL	Proposed single storey rear 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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10<sup>th</sup> December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council is now making arrangements to formally adopt Section 1 of the Local Plan in its modified state and this is expected to be confirmed at the meeting of Full Council on 26<sup>th</sup> January 2021 – at which point will become part of the development plan and will carry full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan. In the interim, the modified policies in the Section 1 Local Plan, including the confirmed housing requirement, can be given significant weight in decision making owing to their advancement through the final stages of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) is now expected to proceed in 2021 and two Inspectors have already been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Application Site

The application site comprises of a single storey detached dwelling with driveway to the front. Sited along the boundary is low level fencing and to the rear is existing close boarded fencing positioned along the neighbouring boundaries.

### Proposal

This application seeks permission for the erection of a proposed single storey rear extension.

### Assessment

#### Design and Appearance

The proposal will be to the rear and largely screened by the host dwelling. As a result of the open spaces between dwellings some elements of the proposal will be publicly visible however these views will be minor and will not have a detrimental impact to the appearance of the dwelling or streetscene.

The proposed extension is of a size and scale which is appropriate to the existing house and will be finished in materials which are consistent with the host dwelling.

The proposal will extend upon the existing extension approved under 12/00346/FUL. Whilst the principle of another extension would not enhance views when viewing the property from the rear these views will not be publicly visible and therefore would not result in a harmful impact to the appearance of the dwelling or area.

The site is of a large enough size to support the proposal and still retain sufficient private amenity space.

### Impact to Neighbours

Sited to the north east of the site is a two storey detached dwelling known as "Break of Day" which is positioned significantly off of its boundary shared with the site. The proposal will be sited 2.6m off of this boundary. Whilst the proposal will be visible to this neighbour due to dwellings positionings on their respective plots and the single storey design of the proposal there would not be a significant loss of residential amenities to this neighbour.

Sited to the South west is "West Haven." The proposal will be sited a minimum of 7m from this neighbours boundary and will not result in a loss of light or outlook to this neighbour. Whilst a window is proposed to the extension facing this neighbour due to its distance away from the neighbour and screening way of fencing any views of this neighbours garden are likely to be minimal and will not result in a significant loss of privacy.

#### Other Considerations

Great Oakley Parish Council have no objections to the proposal.  
No further letters of representation have been received.

#### Conclusion

In the absence of material harm resulting from the proposed 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: 01 and email confirming materials dated 7th January 2021.

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.