

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	27/01/2021
Planning Development Manager authorisation:	TC	27/01/2021
Admin checks / despatch completed	ER	28/01/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	28.01.2021

**Application:** 20/01451/FUL **Town / Parish:** Thorpe Le Soken Parish Council

**Applicant:** Mr Partridge

**Address:** Lilac Bungalow Station Road Thorpe Le Soken

**Development:** Proposed rear extension with glazed lanterns, loft conversion including rear flat roof dormer, 3 no. front pitched roof dormers, 2 no. velux rooflights, two storey and single storey front extension, 2 no. side windows and detached garage.

### 1. Town / Parish Council

No comments received

### 2. Consultation Responses

n/a

### 3. Planning History

93/01333/FUL	Demolition of existing dwelling and erection of replacement dwelling and garage	Approved	04.01.1994
20/01451/FUL	Proposed rear extension with glazed lanterns, loft conversion including rear flat roof dormer, 3 no. front pitched roof dormers, 2 no. velux rooflights, two storey and single storey front extension, 2 no. side windows and detached garage.	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

SPL2 Settlement Development Boundaries

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### **Proposal**

This application seeks permission for a two storey and single storey front extension, rear flat roof dormer, two front roof lights, a single storey rear extension, ground floor fenestration alterations and a detached garage to a detached house located in Thorpe le Soken. The application site is situated along a private drive adjacent to the Station and Maltings Conservation Area which lies outside of any settlement development boundary.

### **Design and Appearance**

The existing dwelling is a one and a half storey dwelling with small pitched roof dormers to the front and rear occupying a substantial size plot with the conservation area abutting the site boundary to the south. The proposal will extend the dwelling to the front and rear modernising and improving the appearance of the house which appears in need of maintenance. The dwelling is situated

along a private drive which means it is not visible from Station Road although it could be viewed from within the conservation area if you were visiting Thorpe Station. The dwelling maintains a central position within the application site which ensures there will be no significant impact to the street scene or harm to the character of the immediate area or the conservation area. The detached garage will be sited near to the western side boundary adjacent to the property of Hilltop Willows in a position where previous outbuildings once stood.

The additions at the front and the rear of the dwelling will be finished in brickwork creating a contrast with the render of the existing part of the building with the two storey element finished with slate roof tiles. The rear dormer will be finished in hanging roof tiles that match the colour of the slate to ensure it does not appear so prominent in the roof slope albeit at the rear. The detached garage will be finished in render and slate roof tiles to tie in with the main house.

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 in terms of design and materials would make a positive visual contribution to its setting and is well related and in proportion to the original dwelling. In this case the proposal is proportionate in size and scale to the existing dwelling and the application site and is located between two residential properties along a private drive ensuring it is contained in this setting and mostly hidden from public view.

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

#### Impact upon Residential Amenity

Due to the central position of the existing dwelling within the application site and separation distance that exists there will be no significant impact to the neighbouring properties of Hilltop Willows, The Rock, The Birches and Maltings House in terms of loss of light, privacy or overlooking. The detached garage lies on the western side boundary shared with Hilltop Willows where mature trees in the neighbour's garden provide screening of the garage to this neighbour to ensure there would be no significant impact.

The proposal has ample space in front of the dwelling for off road car parking in addition to the proposed garage. There is also sufficient private amenity space provided to the rear and sides of the dwelling.

#### Other Considerations

No 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. 01 Revision F and 02 Revision C.

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking and re-enacting that Order with or without modification), no internal or external alterations shall take place to the hereby approved garage, which would preclude its use for housing motor vehicles without the prior written approval of the Local Planning Authority.

Reason - To ensure that alterations are not carried out which would deplete the provision of car parking facilities within the site.

## 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.

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