



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 has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26<sup>th</sup> January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have 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 single storey rear extension to a detached house situated on the Manor House estate within the development boundary of Brightlingsea.

### Design and Appearance

The rear extension will measure a maximum of 4.125 metres in depth, 5.45 metres in width with an overall pitched roof height of 3.67 metres. The height of the eaves is 2.25 metres.

The proposals are in keeping with the character of the existing dwelling and immediate area. The use of matching materials of brickwork, roof tiles and UPVC windows and doors will ensure the extension assimilates with the main dwelling. The extension will only be glimpsed from Marenes Crescent between the host dwelling and number 26 and therefore there will be no significant impact to the street scene.

The proposal meets the requirements of good design, appearance and scale.

### Impact on Residential Amenity

The integral garage of 26 Marenes Crescent will be adjacent to the proposal which is 0.3 metres from the shared side boundary and as a result, the single storey structure will ensure no material adverse impact to loss of privacy, loss of light or outlook to this neighbour. Given the separation distance that exists between the proposal and the rear and western side boundary there will be no significant impact to these adjacent neighbours.

The proposal does not interfere with the existing space for off road car parking and there has been a minimal reduction in the loss of garden space to the rear of the dwelling therefore sufficient private amenity space is retained.

### Other Consideration

Brightlingsea Town Council raised their concern that the extension extends to the boundary line, however given the low eaves and ridge height of the extension which is sited adjacent to the next door neighbours garage, with a distance of 03 metres to the side boundary, it is considered

acceptable and has no significant impact to any neighbours in terms of loss of light, outlook or privacy.

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. 2343-01, 2343-03 and 2343-04.

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.

<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