

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	15.04.2021
Planning Development Manager authorisation:	SCE	15.04.2021
Admin checks / despatch completed	DB	15.04.2021
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Application: 21/00362/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Mr and Mrs May

Address: 4 Weeley Road Aingers Green Colchester

Development: Erection of part single storey and part two storey rear extension (alteration to Approved Planning Permission ref: 20/01781/FUL)

1. Town / Parish Council

Great Bentley Parish Council At the Great Bentley Parish Council Planning Committee meeting held on 1st April 2021 it was resolved to make no comment regarding this application.

2. Consultation Responses

Not Applicable.

3. Planning History

15/01037/FUL	Proposed single storey rear extension to form kitchen/dining area and utility; two storey side extension to form garage, bedroom and en-suite.	Approved	20.08.2015
20/01781/FUL	Single storey and part two storey rear extension.	Approved	03.02.2021
21/00362/FUL	Erection of part single storey and part two storey rear extension (alteration to Approved Planning Permission ref: 20/01781/FUL)	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)

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

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 10th 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 26th 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 (including Site Description and Proposal)

Proposal

This application seeks permission for the erection of part single storey and part two storey rear extension (alteration to Approved Planning Permission ref: 20/01781/FUL)

Application Site

The site is located to the south of Weeley Road, within the development boundary of Aingers Green. The site serves a semi-detached two storey dwelling finished in painted render with a tiled roof.

Assessment

Design and Appearance

One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design. Saved Policies QL9, QL10 and QL11 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The proposed extension will be located to the rear of the site and will measure 4.5 metres deep by 7.87 metres wide at ground floor level with a single storey flat roof height of 2.8 metres. The two storey element will be located to the west of the dwelling at the rear and will measure 4.6 metres wide by 4.5 metres deep, it will have a maximum pitched roof height of 7.2 metres. The proposed rear extension is considered to be of a size and scale in keeping with the existing dwelling with the application site retaining adequate private amenity space.

The proposal will be located to the rear of the site and will be largely shielded to the streetscene by the existing dwelling. However, it may be slightly visible from the gap between the host dwelling and the neighbouring dwelling to the west. The rear extension will be of a design and appearance in keeping with the existing dwelling and surrounding area. The exterior walls will be finished in weatherboarding, this has been approved under reference 20/01781/FUL and is considered to be an acceptable material having no adverse effects on the visual amenities of the area. The two storey element of the extension will have a pitched tiled roof to match that of the existing dwelling and the single storey element will have a flat roof design which is in keeping with the existing rear extension at the site. The proposal is considered to be of an acceptable design and appearance and will not have any adverse effect on visual amenity.

Impact to Neighbouring Amenities

The NPPF, Paragraph 17, states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the saved plan states that amongst criteria 'development will only be permitted if the development will not have a materially damaging impact on the privacy,

daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Due to its positioning within its site the proposed rear extension will not have any significant impact on the loss of light to the adjacent neighbouring dwellings.

The proposal does include the installation of a rear and side window at first floor level which will provide the dwelling with additional views of the adjacent neighbouring properties and result in a loss of privacy. However, as the dwelling already has windows at first floor level to the rear and side these additional windows are not considered to create any new views from the host dwelling and will not have a significant impact to loss of privacy to the adjacent neighbours.

The proposed development is considered acceptable in terms of residential amenities.

Highway issues

The Proposal neither generates an additional need for parking, nor decreases the existing parking provisions at the site.

Other Considerations

At the Great Bentley Parish Council Planning Committee meeting held on 1st April 2021 it was resolved to make no comment regarding this application.

No other letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

6. Recommendation

Approval – Full

7. Conditions / Reasons for Refusal

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; Drawing No. P01b

Reason - For the avoidance of doubt and in the interests of proper planning.
3. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), the windows in

the west side elevation, serving the ensuite, shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

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.

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