

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JR	12.05.2021
Planning Development Manager authorisation:	JJ	12/05/2021
Admin checks / despatch completed	ER	12/05/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	12.05.2021

Application: 21/00484/FUL **Town / Parish:** Thorrington Parish Council

Applicant: Mr and Mrs Kiddie

Address: Glendenning Tenpenny Hill Thorrington

Development Erection of two storey side extension with Juliet balcony

1. Town / Parish Council

Thorrington Parish Council No comments received

2. Consultation Responses

N/A

3. Planning History

93/00219/FUL Polytunnel for propagation of conifers, shrubs and seedlings, shed for storing fertilizers, etc. [potting work shed] Approved 06.04.1993

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

QL11 Environmental Impacts and Compatibility of Uses

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

Section 1

SP7 Place Shaping Principles

Section 2

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is located on the northern side of Tenpenny Hill (B1027) and is accessed via a long driveway. The site comprises of a detached two storey dwelling with a single storey side/rear addition and open fields either side of the property. There are a number of outbuildings to the rear of the dwelling and a stable block to the rear of the site. The site is located outside of the settlement development boundary of Thorrington and its surrounding area is rural in nature with some residential and commercial uses within the vicinity.

Proposal

The application seeks planning permission to construct a two storey side extension with Juliet balcony to the flank elevation.

Design and Impact on the Character of the Area

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. Policy SP7 states that all new development should respond positively to local character and context to preserve and enhance the quality of existing places and their environs. Emerging Policy SPL3 seeks to provide new development which is well designed and maintains or enhances local character and distinctiveness. The development should relate well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials and should respect or enhance local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features. Saved Policy QL11 supports these considerations.

The proposed two storey extension measures 4.45m wide, a maximum of 7.65m deep, with an eaves height of some 4.8m and a maximum height of 7.7m. The extension is to be finished externally in white painted render, plain tiles, and white uPVC windows and doors to harmonise with the main dwelling.

The existing dwelling has a half hip, half gable roof and is set within a large open plot. The proposed extension would extend the ridge out to the eastern side forming a gable roof which to a degree would balance out the appearance of the dwelling. Overall the design, size, sitting and scale of the two storey side extension is considered to be such that it would not result in any significant harm to the character and appearance of the main dwelling or the wider area. The dwelling is set well back from the main highway and has limited visibility from the public realm, due to the existing vegetation and trees bordering Tenpenny Hill.

The proposal is therefore considered to be acceptable and policy compliant in these regards.

Impact on neighbouring properties

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. Policy SPL3 states that 'buildings and structures are designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents'. Saved Policy QL11 states that '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'.

Given the rural nature of the site and surrounding area, the neighbouring dwellings are of a considerable distance from the application dwelling and therefore the proposal is not considered to result in any significant harm to the amenities of the site, neighbouring occupiers or wider area in any regard. The proposal is therefore considered to be acceptable and policy compliant in terms of its amenity impacts.

Highways issues

The proposal does not alter or increase the parking provision required at the site nor does it impact on the access to the highway.

Other Considerations

No representations 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

- 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(s): 01 Rev D

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.

- 3 The materials used on the external surfaces of the development hereby approved must match those used on the external surfaces of the existing property.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design, having regard to Policy SP7 and emerging Policy SPL3 of the Tendring District Local Plan 2013-33 and Beyond Publication Draft.

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:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO