

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

SP7 Place Shaping Principles

SPL2 Settlement Development Boundaries

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks permission for a two storey side extension, single storey rear extension, garage link extension and dormer alterations to a detached house located in Great Oakley which lies outside of any settlement development boundary.

Design and Appearance

The two storey side extension with gables to the front and rear, although substantial, will improve the overall appearance of the existing dwelling when viewed from Colchester Road. The side extension by way of its high pitched roof necessitates alterations to the existing dwelling, by way of changes to the fenestration, position of the front door and raising the pitch of the dormers ensuring the new character is consistently represented. In addition the existing brick plinth will be reduced in height with render above further promoting the new character of the building. The existing dwelling is plain with no features of interest; the proposal will transform the dwelling into a refined home.

An infill link extension will join the main house with the garage, while the proposed rear single storey extension with flat roof spans the width of the existing dwelling but does not project beyond the rear elevation of the new two storey side extension. The flat roof of the rear extension will also serve as a balcony accessed from the first floor master suite. The balcony is enclosed by glazing.

The curtilage of the dwelling is mainly laid to grass, with no mature vegetation, leaving the dwelling exposed. In view of this, a landscaping scheme has been put forward which will help to assimilate the dwelling into its surroundings, by blending the starkness of the exposed dwelling with the softer lines of trees and hedging creating some screening and shade.

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 specific criteria which seeks to protect the rural character of the countryside. In this case the proposals are proportionate to the size of the existing dwelling and the size of the application site, which along with the landscaping scheme is considered acceptable ensuring that no significant harm would be caused to the appearance and character of the countryside.

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

Impact on Residential Amenity

The dwelling is sited centrally on the application site, and close to the road, similar to the other cottages in the immediate vicinity. The two storey side extension is a distance of 11 metres to the side boundary shared with Four Winds Cottage which is the closest neighbouring dwelling. There are first floor side facing windows on the eastern elevation of the two storey side extension which serve two bedrooms and a bathroom. The side elevation of Four Winds has no side facing windows. The main garden areas of Four Winds Cottage are to the front and south east side which are bounded by mature shrubs and trees increasing privacy. The western side elevation of the house and western edge of the proposed balcony is a distance of 73 metres to the next nearest property to the west, Stone Green Cottage. The side boundary of Stone Green Cottage offers screening from direct views with mature trees and hedging. Given the distances to neighbouring properties and the existing natural screening, along with the proposals for further landscaping there will be no significant impact to the neighbours at Four Winds Cottage or Stone Green Cottage in terms of loss of light, overlooking or loss of privacy.

Ample garden space will remain following the construction of the proposal which is considered more than adequate. The off road car parking provision will not be altered and allows for at least two cars to park off the road in spaces that meet the current car parking standards where one space measures 5.5 metres x 2.9 metres.

Other Considerations

Great Oakley Parish Council have no objection to the application.

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: Drg. No. 1315/02, 1315/04A, 1315/05A, 1315/06, 1315/03B and 20.5158.01.

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

- 3 The approved scheme of landscaping shown on drawing no. 20.5158.01, shall be implemented no later than the first planting season following commencement of the development (or within such extended period or phased arrangement as the Local Planning Authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason - To ensure the effective implementation of the approved landscaping scheme, in the interests of visual amenity.

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.

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