

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	30/06/2021
Planning Development Manager authorisation:	JJ	30/06/2021
Admin checks / despatch completed	ER	30/06/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	30.06.2021

Application: 21/00823/FUL **Town / Parish:** Great Bentley Parish Council
Applicant: Mr Christopher Luckie
Address: Grange Cottage Sturric Lane Great Bentley
Development: Erection of two storey pitched roof rear extension

1. Town / Parish Council

No comments received

2. Consultation Responses

n/a

3. Planning History

17/00456/FUL	Erection of eight two-storey dwellings following demolition of and alteration to existing buildings.	Approved	14.08.2017
20/30271/PREAPP	Proposed erection of a two storey pitched roof rear extension.		23.02.2021
21/00823/FUL	Erection of two storey pitched roof rear extension	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)
QL9 Design of New Development
QL10 Designing New Development to Meet Functional Needs
QL11 Environmental Impacts and Compatibility of Uses
HG9 Private Amenity Space

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)
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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not.

With the adoption of the modified Section 1 of the emerging Local Plan, the Councils 'objectively assessed housing need' of 550 dwellings per annum has been found 'sound' and there is no housing shortfall. The Council is able to report a significant surplus of housing land supply over the 5 year requirement, in the order of 6.5 years.

5. Officer Appraisal

Proposal

The application seeks permission for a two storey rear extension to a detached house located outside of any settlement development boundary. The host dwelling is one of eight recently built dwellings set at the end of Sturricks Lane adjacent to farmland in the former farmyard of Sturricks.

Design and Appearance

The proposed two storey rear extension will measure 3 metres in depth, 3.8 metres in width, with an eaves height that matches the existing, a lower ridge height and a pitch that matches the main roof of the existing dwelling creating a subservient and proportionate addition. The extension will be finished in matching brick, roof tiles and windows and doors. The extension will be partially

visible as part of the street scene glimpsed above the roof of the double garage however it will not have a significant impact on it.

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

Impact upon Residential Amenity

To the rear of the application site lies farm/commercial buildings still in use. The two storey rear extension is a distance of 5 metres from the northern side boundary shared with Field View which also benefits from a single garage sited against the shared side boundary creating a degree of separation between the properties and preventing direct overlooking from the new first floor window. The entrance to the farm/commercial building sited at the rear lies south of the application site and provides sufficient separation between Grange Cottage and the property of Heckfords to the south. Due to the siting of the proposal and distance from neighbouring properties it is not considered to have any material adverse impact to loss of privacy, loss of light or outlook.

There will be no change to the off road car parking provision. Over 200 square metres of private amenity space will remain following the construction of the proposal which is considered more than adequate.

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's: Floor Plans Revision: A, Elevations Revision: A and Side Elevations Revision: A.

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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
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Are there any third parties to be informed of the decision? If so, please specify:	YES	NO