

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	25/06/2021
Planning Development Manager authorisation:	SCE	29.06.2021
Admin checks / despatch completed	ER	30/06/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	30.06.2021

**Application:** 21/00774/FUL **Town / Parish:** Mistley Parish Council

**Applicant:** Mr J Wells

**Address:** Eyrie Clacton Road Horsley Cross

**Development:** Proposed single storey porch extension, two storey side extension and single extension

**1. Town / Parish Council**

Manningtree Town Council                      No Objections received

**2. Consultation Responses**

Not applicable

**3. Planning History**

21/00774/FUL                      Proposed single storey porch extension, two storey side extension and single 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Adopted Tendring District Local Plan 2007 (part superseded)  
TR1A Development Affecting Highways  
TR7 Vehicle Parking at New Development

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

Relevant Section 1 Policies (adopted)  
SP7 Place Shaping Principles

Relevant Section 2 Policies (emerging)  
SPL3 Sustainable Design  
PPL3 The Rural Landscape

Local Planning Guidance  
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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 26<sup>th</sup> 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 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 (including Site Description and Proposal)**

### Application Site

The site comprises of a two storey semi-detached dwelling set back from the front of the site with an area for parking to the front. Sited to the rear is an existing garden area with fencing along the boundaries and existing extensions to the rear of the house.

The immediate area comprises of small selection of houses with one commercial premises to the north. The application house and its adjoining neighbour are brick in construction whilst the other nearby houses to the north vary in colours of render finishes.

### Proposal

This application seeks permission for proposed single storey porch extension, two storey side extension and single extension

The proposal has since been amended to show a reduction in height of the two storey side extension and reduction of the porch width. The amendments are considered to be better in keeping with the existing house and rural landscape.

The proposed extensions will be finished in white render and the existing house will be retained in brick which will also be applied to the pillars of the porch.

The plans provided also show a pergola and decking which are permitted development and do not form part of this application.

### Assessment

#### Design and Appearance

The proposal will be a noticeable change to the appearance of the existing house. The rear extension will be single storey and sited to the rear with minimal views achieved from Clacton Road. The two storey side extension will be lower in height compared to the main dwelling and set back from the front wall of the house and front of the site to reduce its prominence and allowing it to appear appropriately within the streetscene. The proposed porch is of a suitable scale and design in relation to the main house and will be set back from the front of the site which would also reduce its prominence.

The proposal has been amended to show that the new two storey side extension will be lower in height compared to the main house to allow it to appear subserviently to the existing dwelling. The roof of this element will be similar in design to the host dwelling.

The porch has been reduced in width to appear more in proportion to the main house and will have a hipped roof design allowing it to appear appropriately to the main house.

The materials used will comprise of brick pillars to the porch and render to the extensions. The existing house will be retained in brick. The use of white render will create a suitable contrast between the proposal and existing dwelling and will match other properties within the area. The retention of the brick will create a central focal point and will allow the proposal to remain inkeeping with the adjoining dwelling and character of the countryside.

The site is of a sufficient size to accommodate the proposal and still retain sufficient private amenity space.

The site is located outside of the development boundary however is of a suitable size and design which would not detract from the character of the countryside.

In conclusion the proposed alterations and additions are appropriate in size and design which would not be detrimental to the overall appearance and character of the dwelling or area.

#### Impact to Neighbours

The proposed side extension and single storey extension will be screened by the host dwelling and existing extension and would therefore not result in a loss of residential amenities to the adjoining neighbour. The introduction of an additional window at the rear to the first floor would result in additional overlooking to this neighbour however as this neighbour is already overlooked by the existing house it is considered that any loss of privacy would be unreasonable to refuse planning permission upon.

The proposed porch is of a nature and siting off of the shared boundary and would not result in a loss of residential amenities to the neighbouring dwelling.

Sited to the north is a commercial premises set back on its plot. The proposal will be visible to this premises however due to its siting off of shared boundaries would not result in a harmful impact to the occupants of this building.

Beyond the commercial premises to the north are a row of residential dwellings. The proposal will be sited ample distance away from these properties and would not result in a significant loss of residential amenities to them.

#### Highway Safety

The Essex County Council Parking Standards states that where a house comprises of two or more bedrooms that 2no. off street parking spaces should be retained measuring 5.5m by 2.9m.

The proposal will be to the side and will reduce the parking area at the site however the space to the front of the house is still of a suitable size to accommodate two off street parking in line with the above standards. The proposal will therefore not contravene highway safety.

#### Other Considerations

Manningtree Town Council have raised no objections.

There have been no letters of representation received in relation to this application.

### Conclusion

In the absence of material harm resulting from the proposed 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 plan: 2103/923-02 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 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.