

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | DB | 20.07.2021 |
| Planning Development Manager authorisation: | SCE | 21.07.2021 |
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| Technician Final Checks/ Scanned / LC Notified / UU Emails: | CC | 21.07.2021 |

Application: 21/00846/FUL **Town / Parish:** Little Bromley Parish Council

Applicant: Nicola Tyler

Address: The Laurels Chequers Road Little Bromley

Development: Erection of single storey rear extension (following demolition of existing conservatory) and part garage conversion

1. Town / Parish Council

Little Bromley Parish Council No comments received.

2. Consultation Responses

N/A

3. Planning History

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|-----------------|---|----------|------------|
| 04/00101/OUT | Demolition of existing house and erection of 2 detached dwellings | Refused | 11.03.2004 |
| 05/01652/DETAIL | Two detached dwellings | Refused | 30.01.2006 |
| 07/00078/FUL | 2 x 4 bed houses. | Refused | 14.03.2007 |
| 07/01297/FUL | 2 x 4 bed houses. | Approved | 28.09.2007 |
| 21/00846/FUL | Erection of single storey rear extension (following demolition of existing conservatory) and part garage conversion | 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Adopted Tendring District Local Plan 2007 (part superseded)

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)

SP7 Place Shaping Principles

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposed erection of single storey rear extension (following demolition of existing conservatory) and part garage conversion.

Application Site

The site is located to the north of Chequers Road, which is located outside the development boundary. The site serves a detached brick built dwelling with a pitched tiled roof. The site has two off street parking spaces to the front of the garage.

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 Policy (part superseded) 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 rear extension will measure 9.6 metres wide by 4.4 metres deep with an overall height of 2.8 metres. The proposal is deemed to be of a size and scale appropriate to the existing dwelling and surrounding area. The site can accommodate a proposal of this size and scale whilst retaining adequate private amenity space. The design is also consistent and sympathetic to the existing host dwelling materials.

The proposed extension will be located to the rear of the property so would be entirely obscured from the streetscene by the existing dwelling. The proposal will be finished in exposed brickwork and feature a flat roof with two roof lanterns for additional light. The proposal will feature UPVC double-glazed windows and bi-fold doors to match the existing dwelling.

The proposed partial garage conversion would allow a section of the space to become a utility room leading to the extension, with an additional side access leading to the rear garden. However the garage internal measurements would remain 3 metres long and 2.8 wide. Whilst this would not meet the adopted standards for a garage, there will remain two off street spaces to the front of the dwelling.

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 by Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The nearest neighbouring dwellings to the proposal would be Nandina and Ashberry Chequers Road.

Impact on Nandina Chequers Road

This dwelling is located to the west of the site and has a shared access to the front of the dwelling. As a result, further details have been provided on the proposed site plan such as location of storage materials, temporary boundary fencing and ensuring access to both dwellings is preserved throughout construction. The proposed extension would be single storey and feature no side facing windows, which could affect privacy. The proposal is not deemed to compromise daylight provision to the rear of this dwelling. As a result, it is deemed that the proposal would not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of this dwelling.

Impact on Ashberry Chequers Road

This dwelling is located to the east of the site and features a mature tall treeline along the boundary separating the dwellings. As a result, the proposal is deemed to not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of this dwelling.

Highway issues

The proposal neither generates an additional need for parking nor decreases the existing parking provision at the site.

Other Considerations

Little Bromley Parish Council has no objection to 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 plans; Drawing No.

- 366-001 REV C (Received 24st June 2021)

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.