

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	01/09/2021
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Application: 21/01275/FUL **Town / Parish:** Great Bentley Parish Council

Applicant: Mr Craig Tedder

Address: Conifers Weeley Road Great Bentley

Development: Proposed rear extension.

1. Town / Parish Council

Great Bentley Parish Council No objections

2. Consultation Responses

Not applicable

3. Planning History

TRE/93/22 Works to Willow Current 02.12.1993

21/01275/FUL Proposed rear extension. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)
QL11 Environmental Impacts and Compatibility of Uses (part superseded)

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

Status of the Local Plan

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies

adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26th January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. In this regard 'Proposed Modifications' to emerging Section 2 of the 2013-33 Local Plan which contains more specific policies and proposals for Tendring has been examined and hearing sessions have now closed. The main modifications recommended to make the plan legally compliant and sound were considered at the Council's Planning Policy and Local Plan Committee on 29th June 2021. The Council is holding a six week public consultation on the Main Modifications and associated documents, which began on 16th July 2021. The consultation will run for just over 6 weeks, closing at 5pm on 31st August 2021, following which adoption is expected later this year. Section 2 will join Section 1 as part of the development plan, superseding in full the 2007 Local Plan. Section 2 of the 2013-33 Local Plan is therefore at a very advanced stage of preparation and should be afforded considerable weight.

5. Officer Appraisal (including Site Description and Proposal)

Application Site

The application site comprises of a two storey semi detached dwelling which is constructed from brick with a tile hung roof. Located to the rear the house benefits from an existing conservatory, garden area and fencing along the shared boundaries. The house is set back from its front boundary with a parking area to the front and side. The site is the last in a row of houses within a pumping station owned by affinity water to the north east.

The site is located within the development boundary.

Proposal

This applications seeks permission for the erection of a single storey rear extension. The proposal will be finished in brick with a tile hung roof.

Assessment

Design and Appearance

The proposal will be to the rear of the existing house however in the absence of neighbouring properties to the east some elements will be publicity visible. Because of the small-scale nature of the proposal together with its set, back from the front of the site any views of the proposal will be minimal and will not be detrimental to the overall appearance and character of the dwelling or streetscene.

The proposal is of a size and design appropriate to the main house and will be finished in materials which are consistent with the host dwelling.

The site is of a suitable size to accommodate the proposal and still maintain adwquate private amenity space.

Impact to Neighbours

There are no neighbouring properties to the east of the site.

The proposal will be visible to the neighbouring property to the west known as "The Paddocks." The proposal will abut the boundary of this neighbour and will be a noticeable addition from their rearward openings. Positioned along the shared boundary of the two sites is existing close boarded fencing which already limits views from the neighbours rearward openings due to its height and design. The proposal has the potential to result in a loss of outlook to this neighbour due to its depth however as it will be largely screened by the existing fencing and as this neighbours views are already limited because of this boundary treatment the loss of outlook in this

case is considered not so significant to refuse permission upon. It is also noted that the roof design of the proposal will allow for the height to decrease to a eaves height of 2.6m which will further reduce its impact to this neighbour.

The host dwelling and its neighbour are both south facing meaning that they receive the majority of their sunlight to the frontages of their sites. Therefore the proposal will not result in a significant loss of light to this neighbour.

The proposal is absent from any side facing windows and will therefore not result in a loss of privacy to this neighbour.

Other considerations

Great Bentley Parish Council have no objection to the proposal.
There have been no letters of representation received.

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: 1672 Rev B.

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.