

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	22/09/2021
Planning Development Manager authorisation:	JJ	23/09/2021
Admin checks / despatch completed	ER	23/09/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	23.09.2021

Application: 20/01819/FUL **Town / Parish:** Elmstead Market Parish Council

Applicant: Mr Makonnen Asfaw

Address: 2 Oatlands Elmstead Colchester

Development: Variation of condition 2 of approved planning application 18/00089/FUL to change roof design of extensions to flat roofs.

1. Town / Parish Council

No comments received

2. Consultation Responses

n/a

3. Planning History

96/00768/FUL	(2 Oatlands, Elmstead Market) Two storey front bedroom, garage, porch extension	Approved	26.07.1996
18/00089/FUL	Conversion of existing garage and store including the erection of 2 storey side extension together with a first floor rear extension and single storey rear extension.	Approved	16.03.2018
20/01819/FUL	Variation of condition 2 of approved planning application 18/00089/FUL to change roof design of extensions to flat roofs.	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Adopted Tendring District Local Plan 2007 (part superseded)
QL11 Environmental Impacts and Compatibility of Uses (part superseded)
HG9 Private Amenity Space
HG14 Side Isolation

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

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 the 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 held a six-week public consultation on the Main Modifications and associated documents which began on 16th July 2021. The consultation closed at 5pm on 31st August 2021 and adoption is expected later this year. Section 2 will then 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

Site Description

The application relates to 2 Oatlands, a south facing detached dwelling within the Parish and Settlement Development Boundary of Elmstead. Oatlands is characterised by a mixture of semi-detached and detached dwellings of differing scales and designs. The application property sits centrally within a row of 3 dwellings of similar scale and design set back from the road, all of which have been extended and altered. The application property has a rendered finish and a plain tile roof.

Proposal

This application seeks planning permission for the variation of Condition 2 of previously approved 18/00089/FUL. The changes proposed are detailed as follows:

- First floor extension roofs changed from pitched and hipped roofs to flat roofs
- Ground floor rear extension roof change from mono pitch roof to flat roof

Assessment

The adopted Tendring District Local Plan (2007) Saved Policy QL11 seeks to ensure that all new development is of a scale and nature appropriate to the locality. Policy SP7 of the Adopted Section 1 North Essex Authorities' Shared Strategic Section 1 Plan states that new development should respond positively to local character and context to preserve and enhance the quality of existing places and their environs, while Emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft seeks to ensure seek that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form.

The revised proposals which have already been constructed are in the main to the rear of the property. The proposed side elevation does jut out slightly beyond the existing side elevation and will therefore be publically visible but given the minor projection and set back from the highway this element of the extension will not appear overly prominent or harmful within the street scene. Overall the changes to the roofs of the extensions are considered to be of an acceptable scale and design.

Given the nature of the proposed changes there is not considered to be any adverse impacts to existing amenities of neighbouring properties.

There are no other impacts in comparison to the previously approved scheme.

Other Considerations

No letters of representation have been received.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: MA/005 Rev-01 and MA/004 Rev-02.

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.

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