

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JR	27.08.2021
Planning Development Manager authorisation:	SCE	27.08.2021
Admin checks / despatch completed	DB	27.08.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	27.08.2021

**Application:** 21/00885/FUL **Town / Parish:** Great Bentley Parish Council

**Applicant:** Mr and Mrs Bowles

**Address:** 17 Woodgreen Estate Plough Road Great Bentley

**Development:** Erection of part single, part two story rear and side extension with new cladding to all elevations

### **1. Town / Parish Council**

Great Bentley Parish Council      No comments received

### **2. Consultation Responses**

N/A

### **3. Planning History**

None

### **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Adopted Tendring District Local Plan 2007 (part superseded)

QL11 Environmental Impacts and Compatibility of Uses (part superseded)  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  
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)**

SP1 Presumption in Favour of Sustainable Development  
SP7 Place Shaping Principles

#### **Relevant Section 2 Policies (emerging)**

SPL3 Sustainable Design  
CP1 Sustainable Transport and Accessibility

Local Planning Guidance  
Essex Design Guide  
Essex County Council Car Parking Standards - Design and Good Practice

### **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 Framework.

The 'development plan' for Tendring comprises, in part, the 'Saved' policies of the 2007 Local Plan. Paragraph 213 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 therefore 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 have been found sound, 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 national planning policy. In this regard, 'Proposed Modifications' to 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. A six-week public consultation began on the 16<sup>th</sup> July 2021, and will close on 31<sup>st</sup> August 2021. Adoption is expected in late 2021. Section 2 will then join Section 1 as part of the development plan superseding in full the 2007 Local Plan. Part 2 of the 2013-33 Local Plan is therefore at a very advanced stage of preparation and should therefore be afforded considerable weight.

## **5. Officer Appraisal**

### Site Description

The application site is a long and narrow plot, located on the eastern side of Plough Road, within the settlement boundary of Aingers Green in the Adopted Local Plan 2007. The site comprises of a semi-detached two storey house, with single storey rear element which is part of the original building. There is hardstanding to the frontage for parking.

The area is residential in nature and the site is located in a run of 8 pairs of semi-detached dwellings of originally identical design. The majority the properties in this run have been extended to some degree, with a mix of side and rear extensions of both single and two storey design present. Opposite the site is open farm land.

### Proposal

The application seeks planning permission to demolish the existing single storey rear element and construct a part single, part two storey mono-pitched roof rear and side extension.

The proposed extension measures 1.35m wide at the front and extends along the side of the dwelling and out to the rear by some 10.5m. At the rear the extension is 5.125m wide x 5.24m deep at ground floor with an eaves height of some 2.7m. The first floor element is 'L' shaped measuring 2.1m deep on the boundary with No. 18 and extending out to a maximum depth of 3.7m and is some 5.6m in height from ground level. The proposal extends out at the side by some 7.8m in depth at first floor.

The external materials proposed are clay tiles and white uPVC windows and doors to harmonise with the main dwelling. It is also proposed to clad the property in Timber Effect Cementitious Board Cladding in off white/light grey.

The extension would provide a bathroom and extended bedroom at first floor and an open plan kitchen/dining area at ground floor.

Amended plans have been received during the course of the application due to officer concerns regarding the depth of the rear extension at first floor and its impact on No. 18, the other half of the

semi-detached pair. The extension has been reduced in depth at first floor to maintain a 45 degree line from this neighbour's first floor windows and is now extended out to the side at two storey level. Therefore the application is considered on the basis of the amended plans.

### Principle of Development

The site is located within the Settlement Development Boundary of Aingers Green in the 2007 Local Plan, however, this settlement boundary has been removed in the Emerging 2013-2033 Local Plan. Nonetheless the proposal involves residential extensions only and therefore there is no objection to the principle of extending the residential dwelling, subject to the detailed considerations discussed below.

### Design and Appearance

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. (Para 126 NPPF).

Policy SP7 states that all new development should respond positively to local character and context to preserve and enhance the quality of existing places and their environs. Emerging Policy SPL3 seeks to provide new development which is well designed and maintains or enhances local character and distinctiveness. The development should relate well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials and should respect or enhance local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features. Saved Policy QL11 supports these considerations.

It is considered that the design, size, siting and scale of the proposed extension is such that it would not result in any significant harm to the character and appearance of the main dwelling or the rear garden scene. The extension is predominately sited to the rear of the property with the side element set back some 3.2m from the front wall of the dwelling and around 20m from the highway and would not therefore result in a dominant or prominent addition, when viewed from the public realm. Given the range of extensions to the properties in this run of dwellings it is not considered that the proposal would be out of keeping with the character and appearance of the wider streetscene. The extension maintains in excess of 1m separation distance from the extension to the flank boundary with No. 18 providing sufficient side isolation space commensurate with the existing setting of the semi-detached dwelling. Overall the site can accommodate the proposed extension whilst retaining adequate private amenity space.

Therefore the proposed extension is acceptable and policy compliant in these regards.

### Impact to Neighbouring Amenities

The NPPF, Paragraph 130 maintains that policies and decisions should result in new development that creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. In addition, Policy QL11 of the saved plan states that amongst other 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 in emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The application site is bordered by No. 18 (to the north) and No. 16 Woodgreen Estate (to the south). Both neighbouring dwellings are semi-detached properties of a similar size and scale to No. 17. No. 18 had been extended at the side and rear at ground floor level. No 16 has an outbuilding sited on the shared boundary.

The proposed extension at ground floor is not excessively deeper than the single storey rear extensions at the neighbouring dwellings and extends out level with the outbuilding at No. 16. The first floor element, by virtue of its amended depth and siting does not breach a 45 degree line from

the nearest first floor windows in the rear elevations of the neighbouring dwellings (Nos 16 and 18). Appropriate separation is retained between the extension and the shared boundary with No. 18. It is therefore considered that the design, size, siting and scale of the development proposed are such that it would not result in any significant harm to the amenities of the site, neighbouring occupiers or the wider area in terms of loss of light, overshadowing or an undue sense of enclosure.

There is a new side window proposed at first floor on the northern side facing No.18 which would provide a secondary window to the extended bedroom and it is reasonable to add a condition to any grant of planning permission to ensure that these side windows are obscure glazed to mitigate any overlooking or loss of privacy concerns.

The dwellings to the rear of the site are not considered to be impacted by the proposed extension due to the of separation distances involved.

Therefore the proposal considered to be acceptable and policy compliant in these regards.

### Highways issues

The proposal does not alter or increase the parking provision required at the site.

### Consultation Responses

No comments have been received from Great Bentley Parish Council.

No further representations have been received against this application following a public consultation which included a site notice posted at the site and neighbouring consultation letters sent out to the adjacent properties. The adjacent properties were re-consulted on the amended plans and no representations have been received.

## **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(s): 2021\_03\_001 P2, 2021\_03\_003 P3, 2021\_03\_005 P3

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 The first floor window on the northern flank elevation of the extension hereby approved, must be obscure glazed to a minimum of Level 4 on the Pilkington scale of privacy or equivalent, and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason: To protect the residential amenities of the locality, having regard to Policy QL11 of the adopted Tendring District Local Plan (2007) and SPL3 of the emerging Tendring District Local Plan 2013-33 and Beyond Publication Draft.

## 8. Informatives

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.

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