

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	7 th Oct 2021
Planning Development Manager authorisation:	SCE	09.10.2021
Admin checks / despatch completed	CC	11.10.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	TF	11.10.2021

Application: 21/01449/FULHH **Town / Parish:** Great Bromley Parish Council

Applicant: Mr Olly Pittman

Address: Lanner Frating Road Great Bromley

Development: Proposed erection of single storey extension to side and rear including roof terrace (following demolition of existing conservatory) and alterations to existing fenestration.

1. Town / Parish Council

No comments received

2. Consultation Responses

No comments received

3. Planning History

11/00076/FUL	Proposed 2 storey side extension to form bedrooms and living room, single storey rear extension to form kitchen and dining room; formation of conservatory.	Approved	21.03.2011
11/60300/HOUENQ	Replace conservatory with dining room extension and convert garage into utility, playroom and study		06.07.2011
21/01006/FUL	Erection of single storey extension to side and rear including roof terrace (following demolition of existing conservatory) and alterations to existing fenestration	Withdrawn	28.07.2021
21/01449/FULHH	Proposed erection of single storey extension to side and rear including roof terrace (following demolition of existing conservatory) and alterations to existing fenestration.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

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

SP3 Spatial Strategy for North Essex

SP7 Place Shaping Principles

TR7 Vehicle Parking at New Development

Relevant Section 2 Policies (emerging)

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

CP2 Improving the Transport Network

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 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 site is a late twentieth century detached bungalow which is of a chalet-bungalow scale presenting to the public domain and two-storey scale to the rear. A 3m high hedgerow exists along the south boundary with Laurel Cottage and a 2m high hedge/fence panel exists on the north boundary with Chatsworth. The rear garden is generally laid to grass and the site is generally level in gradient. The site has an existing vehicular access directly onto the B1029 (Frating Road).

Description of Proposal

The application proposes a single-storey rear extension of simple rectangular form. It would extend beyond and overhang the left hand side/rear corner at the rear of the property. It would have a total depth in projection of 7.6m and be 4.8m wide; of the 4.8m width – 1.6m would overhang the flank wall. The extension would have a flat roof with a height of 3m and this flat roof would form a terrace, accessed from newly-installed patio doors leading from the first floor bedroom. The south (side) perimeter of the roof terrace would have a 1.6m high privacy screen and the west (rear) perimeter of the roof terrace would have a 1m high privacy screen. Alternative access to the roof terrace would also be gained from a spiral staircase to the west elevation. Externally the extension would be finished in a contrasting, modern copper-effect cladding and internally the enlarged floorspace would provide a new dining area.

Principle

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

Design & Appearance

Adopted Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context. Emerging Policy SPL3 of Section 2 of the 2013-33 Local Plan also requires, amongst other things, that the development respects or enhances local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features. Paragraph 130 of the Framework requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

Dwellings in the locale are extremely varied in terms of both their construction materials/colours and their individual design. For these reasons the scale and siting of the proposed extension is entirely in keeping with not only the host dwelling but wider streetscene in general. It is observed that whilst a modern copper-effect cladding contrasts with those building materials used in the construction of the main dwelling, the fenestration frames are typically of an orange-toned teak hue and the cladding would pick up these current features.

Impact to Neighbouring Amenities

The NPPF, at paragraph 130 states that development should create 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. Adopted Policy SP7 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) requires that all new development protects the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.

The rear elevation of the host dwelling is approximately 12m forwards of the front elevation of Laurel Cottage to the south – the closest dwelling to the proposed development. This separation is reduced to 9.7m from beyond the conservatory.

The depth of the extension would see a reduction in these separation distances to around 5m. Notwithstanding the reduction in separation distances, the drawings indicate that the side and rear perimeter of the roof terrace would be surrounded by privacy screens and, for this reason it is

considered that the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

Highway Issues

Paragraph 130 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. These objectives are supported adopted Policy SP7 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The proposal does not generate any additional requirement for parking places, nor does it cause the loss of any existing parking spaces.

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 plans: Proposed Floor Plans and Elevations, received 13th September 2021.

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

3 Prior to the roof terrace first being brought in to use, the privacy screen indicated on the approved elevation plan (received 13th Sept 2021) shall be installed. The screening shall then be permanently retained as such unless the prior approval has been obtained in writing from the Local Planning Authority.

Reason - To protect the amenities and privacy of adjoining occupiers.

8. Informatives

Application Approved Without Amendment

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.

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO