

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	28/09/2022
Planning Development Manager authorisation:	SCE	04.10.2022
Admin checks / despatch completed	ER	05/10/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	05.10.2022

**Application:** 22/01365/FULHH **Town / Parish:** Mistley Parish Council

**Applicant:** Mr and Mrs Morsley

**Address:** 110 Forrester Road Mistley Manningtree

**Development:** Proposed construction of an Edwardian style conservatory to the rear of the property.

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

Mistley Parish Council  
01.09.2022

At its Planning Committee on the 1 September 2022, the Parish Council recommended approval this application.

### **2. Consultation Responses**

Not Relevant to this application

### **3. Planning History**

15/01520/OUT	The erection of up to 135 dwellings, including a flexible building for use as a healthcare facility (Class D1) and/or residential use (Class C3), together with access from Harwich Road; green infrastructure provision including allotments (about 1 hectare), children's play area, footways and structural landscaping; a sustainable drainage system including detention basin and swales and other related infrastructure and services including a footpath/cycleway parallel to Heath Road.	Approved	14.09.2016
17/00943/DETAIL	Reserved matters application further to outline planning application 15/01520/OUT for details of appearance, scale, layout and landscaping, relating to the erection of 135 dwellings, incorporating a flexible building for use as either a healthcare facility or a dwelling and associated works.	Approved	04.12.2017

22/01365/FULHH Proposed construction of an Current  
edwardian style conservatory to the  
rear of the property.

#### **4. Relevant Policies / Government Guidance**

National:

National Planning Policy Framework July 2021 (NPPF)  
National Planning Practice Guidance (NPPG)

Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic  
Section 1 Plan (adopted January 2021)  
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)  
SPL3 Sustainable Design

#### **Status of the Local Plan**

Planning law requires that decisions on 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 (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

#### **5. Officer Appraisal (including Site Description and Proposal)**

##### Application Site

The site comprises of a two storey detached dwelling located within the development boundary of Mistley.

##### Proposal

This application seeks planning permission for the construction of an edwardian style conservatory to the rear of the property.

##### Assessment

##### Design and Appearance

The proposal will be to the rear however given the orientation of the house on its plot will be publicly visible. The extension will be set off of its boundaries and partially screened by existing boundary fencing reducing its prominence and ensuring these views remain minimal preventing it from resulting in a harmful impact to the appearance and character of the house and streetscene.

The proposal will be finished in brick which is consistent with host dwelling with a UPVC glazed roof. The use of this type of roof will differ from the main house however given its minimal impact on the streetscene the use of such would not result in a harmful impact to the appearance of the house or locale and is considered acceptable in this instance.

The proposal is of a suitable size and design in relation to the existing house and the area retained to the rear of the house will still be a usable in size for the needs of the occupants.

##### Impact on Neighbours

The proposal will be sited suitably away from each neighbouring boundary and predominantly screened by boundary fencing preventing it from resulting in a loss of amenities to neighbouring sites.

##### Other Considerations

Mistley Parish Council recommend approval for the application.  
No further letters of representation have been 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:  
3229032/2  
3229032/1

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.