

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case Officer recommendation:	ER	16/11/2022
Planning Manager / Team Leader authorisation:	ML	17/11/2022
Planning Technician final checks and despatch:	ER	17/11/2022

Application: 22/01721/FULHH **Town / Parish:** Little Bentley Parish Council

Applicant: Mr Stclair

Address: 4 Jubilee Cottages Rectory Road Little Bentley

Development: Proposed single storey rear extension.

1. Town / Parish Council

Little Bentley Parish Council No objections

2. Consultation Responses

Not required for this application.

3. Planning History

22/01721/FULHH Proposed single storey rear extension. Current

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
PPL3 The Rural Landscape

Local Planning Guidance
Essex Design Guide

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 application site comprises of a two storey end terraced dwelling which is finished in cream render. The house has an existing rear/side conservatory and existing outbuilding. The site is located outside of the development boundary.

Proposal

This application seeks planning permission for a single storey rear extension which will be finished in cream render with a tile hung roof.

Assessment

Design and Appearance

The proposed addition will be sited to the rear and not publicly visible from Rectory Road.

The proposed addition is of a suitable size and design in relation to the existing house and will be finished in materials which are consistent with the host dwelling.

The site is of a large enough size to accommodate the proposal and still retain a suitable area of private amenity.

The site is located outside of the development boundary however the proposed addition is of a suitable size and scale which would not result in a harmful impact in terms of the rural landscape character of the area.

Impact to Neighbours

The proposal will be constructed 0.2m from the shared boundary with the adjoining neighbour to the west. This neighbour benefits from an existing rear extension with a mixture of planting and fencing along the shared boundary. This neighbour also has a windows close to the boundary which currently looks onto the existing fencing and will be impacted by the proposal.

As a result of the orientation of the houses the proposal will result in a loss of light to this neighbour and therefore the Essex Design Guides loss of light calculations have been applied to the plans.

The 45 degree line in plan would encompass this neighbour's rear window where as in elevation would only strike through the lowest section of this opening. As a result the proposal passes these calculations and the loss of light resulting from it is not considered to result in such a loss that would require the need to refuse the application upon.

The proposal will result in a loss of outlook to this neighbour however the existing planting and fencing will screen much of the proposal which will also be set off of the boundary by 0.2m. The proposed addition also has a pitched roof design which will further reduce its impact. It is also noted that this neighbour's rear window receives little outlook due to the boundary fencing already in situ. It is therefore considered the loss of outlook in this regard is considered not so significant to refuse permission upon.

The plans provided show that whilst there will be no windows within the wall of the extension facing the adjoining neighbour there will be a rooflight within its side roof slope. Due to the positioning of such an opening it is unlikely to allow for clear views of the neighbouring house and/or garden preventing the proposal from resulting in a loss of privacy to this neighbour.

The proposal will be sited ample distance from the eastern and southern boundaries.

Other Considerations

Little Bentley Parish Council have no objections 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: P01 and P02, received 11th October 2022.

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.