

## **DELEGATED DECISION OFFICER REPORT**

<b>AUTHORISATION</b>	<b>INITIALS</b>	<b>DATE</b>
Case Officer recommendation:	JJ	22/02/2023
Planning Manager / Team Leader authorisation:	AN	16/03/23
Planning Technician final checks and despatch:	ER	16/03/23

**Application:** 23/00012/FULHH **Town / Parish:** Great Bentley Parish Council

**Applicant:** Mr and Mrs Wall

**Address:** 32 De Vere Estate Great Bentley Colchester

**Development:** Proposed first floor rear extension to form bedroom and en-suite.

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

No comments received

### **2. Consultation Responses**

NA

### **3. Planning History**

23/00012/FULHH      Proposed first floor rear extension      Current  
to form bedroom and en-suite.

Other relevant planning history in area:

A first floor rear extension has been approved by the LPA on a nearby property at No. 30, and a new dwelling with a first floor rear extension approved on a new dwelling directly adjacent to No. 30 De Vere Road

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

NPPF National Planning Policy Framework July 2021  
National Planning Practice Guidance

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 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)**

The Site is located on the north west corner of Sturrick Lane and De Vere Estate and consist of a semi detached dwelling with a single storey rear extension. The attached semi located immediately to the south is similar in appearance but un-extended at the rear.

The Proposal is for a first floor rear extension to be located on top of the existing ground floor extension to the rear, but set slightly in from the common boundary shared with the property to the south by between 800mm to 1.2m. The extension will accommodate a new bedroom and en-suite bathroom-shower room.

### **Design:**

The proposed extension will extend no deeper than the existing ground floor extension, and will be finished with a dual pitched roof. The extension, whilst fairly wide, will, on balance, appear subordinate to the main dwelling. Similar first floor rear extensions have been approved by the LPA on properties further to the south.

### **Impact on residential amenity:**

The extension will project approximately 2.8m in depth, but will be set off the southern boundary by between 800mm to 1.2m. The proposed extension will break the 45 degree angle line taken from the quarter point of the first floor bedroom window of the neighbouring property, however, although not indicated on the elevation, it is unlikely that a 25 degree line drawn upwards from the nearest neighbouring window will be broken. In addition, the subject property is located to the north of the attached semi to the south, therefore further minimising the impact on overshadowing, the first floor extension will also be set off the common boundary as outlined above, and no windows are proposed in the south facing elevation facing the property to the south. On balance the proposal is considered to result in no conflict with policies SP7 and SPL3.

## **6. Recommendation**

In the absence of any planning policy conflict the proposal is recommended for approval.

## **7. Conditions / Reasons for Refusal**

1. The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance

with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

32/DVGB/1

32/DVGB/2

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

## 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?</b> <b>If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision?</b> <b>If so, please specify:</b>	YES	NO