

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CC	23/05/2023
Planning Manager / Team Leader authorisation:	JJ	25/05/2023
Planning Technician final checks and despatch:	CC	31/05/2023

Application: 23/00370/FULHH **Town / Parish:** Great Bentley Parish Council

Applicant: Ms T Kemp

Address: 5 Plough Road Great Bentley Colchester

Development: Proposed single storey rear extension to form kitchen/dining area.

1. Town / Parish Council

Great Bentley Parish Council No comments

2. Consultation Responses

Not applicable

3. Planning History

23/00370/FULHH Proposed single storey rear extension to form kitchen/dining area. 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)

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 serves a semi-detached two storey dwelling located within the settlement development boundary of Great Bentley.

Proposal

This application seeks permission for the erection of a single storey rear extension to form kitchen / dining area.

Assessment

Design and Appearance

The proposed extension is located to the rear of the dwelling and is therefore shielded from the public views of the streetscene by the host dwelling.

The extension is of a single storey nature with flat roof design, incorporating a roof lantern. The exterior walls will be finished in brickwork to match that of the host dwelling. The use of matching materials will help the proposal to blend with the appearance of the host dwelling, it is therefore considered to be of an acceptable design and appearance with no significant harmful impacts.

The application site can accommodate for the proposed extension whilst retaining adequate private amenity space, it is therefore considered to be of an acceptable size and scale.

Impact on Neighbouring Amenities

The proposed extension is of a single storey nature meaning it poses no significant threat of overlooking or loss of privacy to the adjacent neighbouring properties.

The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the extension roof does not intercept over half of any window on the neighbouring dwellings in both plan and elevation. The proposed extension is therefore considered to have no significant effect on the loss of light to the adjacent neighbouring dwellings. Due regard given to the restrained nature of the extension and the proposed setback from the common boundary which will further minimise any impacts.

Other considerations

The proposal does not decrease the existing parking provisions at the site, nor does it cause the need for additional parking. The Local Planning Authority therefore deem that it is acceptable in terms of highway safety.

Great Bentley Parish Council have not commented on the application.

No other letters of representation have been received.

Conclusion

The proposal is considered compliant with the above mentioned National and Local Policies. In the absence of material harm it is recommended for approval.

6. Recommendation

Approval - FULL

7. Conditions / Reasons for Refusal

1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: 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.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2 APPROVED PLANS & DOCUMENTS

CONDITION: 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.

Drawing No. 5/PRGB/1

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

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

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.

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