

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	OA	15.01.25
EIA Development - Notify Planning Casework Unit of Decision	NO	15.01.25
Team Leader authorisation / sign off:	ML	17.01.2025
Assistant Planner final checks and despatch:	ER	17/01/2025

Application: 24/01709/FULHH **Town / Parish:** Great Bentley Parish Council

Applicant: Mr and Mrs Steven Marshall

Address: Pathside Cottage The Path Great Bentley

Development: Householder Planning Application - Replacement garage, creation of off street parking, and part single, part two storey rear extensions and remodelling of dwelling.

1. Town / Parish Council

Great Bentley Parish Council No comments recieved

2. Consultation Responses

ECC Highways Dept
15.01.2025

The information provided with the application has been assessed by the Highway Authority and conclusions reached from a desktop study based on the submitted material and google maps. No site visit was undertaken in conjunction with this planning application. The property is located on The Path, classed as a local road in the County's Route Hierarchy within a predominately residential area. The proposal will provide an upgraded vehicular access and adequate off-street parking for the size of dwelling, considering these factors:

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. There should be no obstruction above ground level within a 2-metre-wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of obstruction above 1-metre at all times.

Reason: To provide adequate inter-visibility between users of the access and the public highway in the interests of highway safety in accordance with policy DM1.

2. No unbound material shall be used in the surface treatment of the vehicular access throughout.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

3. Prior to occupation of the dwelling the vehicular access shall be constructed at right angles to the highway boundary and to the

existing carriageway. The width of the access at its junction with the highway shall not be more than 3.6 metres (equivalent to 4 drop kerbs), shall be retained at that width for 5.5 metres within the site and shall be provided with an appropriate vehicular crossing.

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1.

4. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1.

5. The vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8.

6. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and National Planning Policy Framework.

Informative:

i) All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

ii) On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area, it covers, and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

iii) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority

against such compensation claims a cash deposit or bond may be required.

iv) Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the [Essex Climate Action Commission](#) proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the [Essex Developers' Group Climate Charter \[2022\]](#) and to view the advice contained in the [Essex Design Guide](#). Climate Action [Advice guides](#) for residents, businesses and schools are also available.

Tree & Landscape Officer
06.12.2024

The garden associated with the application site contains two large Silver Birch (*Betula pendula*) that make a positive contribution to the character and appearance of the conservation area. It contains several established shrubs that help to soften the appearance of the locality but that do not fall within the scope of legislation under which they would merit formal legal protection.

The positions of the Silver Birch trees are such that the development proposal could be implemented without causing harm to either of the Silver Birch. Both trees are afforded formal legal protection.

Section 2.5 of The Design and Access Statement (DAS) states that both Silver Birch are to be retained and physically protected for the duration of the construction phase of and approved planning permission. The DAS also states that other mature vegetation will be retained where possible for its screening and softening value.

To show that the development proposal can be implemented without causing harm to retained trees the planning application is supported by an Arboricultural Impact Assessment (AIA). The AIA contains a Tree Protection Plan (TPP) and an Arboricultural Method Statement (AMS).

This information is in accordance with BS5837 2012 Trees in relation to design demolition and construction. Recommendations.

The information provided is sufficient to demonstrate that the proposed development can be implemented without causing harm to the retained Silver Birch.

Should planning application is likely to be granted then details of soft landscaping should be secured by a planning condition. Soft landscaping should aim to soften, screen and enhance the appearance of the development.

Essex County Council
Heritage
23.12.2024

Built heritage advice pertaining to an application for a replacement garage, creation of off street parking, and part single, part two storey rear extensions and remodelling of dwelling.

Pathside Cottage is located within the Great Bentley Conservation Area. It is likely nineteenth century in origin, although much altered in the early-mid twentieth century. Nonetheless, it makes a positive

contribution to the character and appearance of the Conservation Area as part of a wider group of historic cottages on this side of the Green. It forms part of the backdrop of historic buildings in views across the Green and is unusual in its location and orientation, being set behind the predominant building line and with its principal elevation facing south.

The proposed replacement of the existing garage with a building with a pitched roof is uncontentious as this will give the building a more traditional appearance, particularly when viewed from the Green.

It is proposed to retain the existing cottage and rear extensions largely as existing. The existing single-storey, flat roofed extension to the side of the cottage is proposed to be replaced with a two-storey extension, and a further two-storey extension added beyond this. To the rear of the new two storey extension, the roof is double piled with a large connecting shallow pitched roof in the valley. The northern corner of the proposed building drops to a flat roofed single-storey addition with rooflights, due both to the unusual, curved shape of the property boundary and the potential impact on neighbouring dwellings.

The ceiling heights of the existing cottage are low making it difficult for any two-storey extension to sit below the ridge or eaves height of the existing. It was advised that the roofline of the extensions should be articulated in some way, but this has not been done due to the height constraints of the existing cottage. It was also advised that the connecting roof in the valley should be reduced and detailed to be more traditional in form. The expanse of connecting roof remains large, but it is finished with a pitch, albeit a shallow one.

Other pre-application advice regarding the front elevation and fenestration has been taken into account.

The use of clay plain tiles, timber windows and timber weatherboarding are positive elements. It was advised at pre-application stage that the rainwater goods should be black metal (potentially aluminium), but uPVC is proposed to replace the existing uPVC goods. It was also advised that the non-tiled roofs be finished in metal, but a single ply membrane is proposed. The membrane is finished with faux standing seams to imitate a metal roof which is at least an improvement on the existing expanses of felt roof. It is unfortunate, in regard to the long-term preservation of the cottage's historic timber frame, that cement render is proposed. However, it is acknowledged that this is like-for-like.

With regards to the front boundary along The Path. The removal of the poorly constructed brick wall is not considered to be contentious. The proposed block plan includes an annotation for a new timber picket fence and hedging but further detail should be reserved by condition.

On balance, considering the poor-quality extensions to the existing cottage and the enhancements arising from the use of a clay plain tile roof and the addition of a pitched roof to the garage, the proposal is considered to be acceptable. The extensions are particularly large, however, they have been designed so the cottage remains legible. Considering the Conservation Area as a whole, the proposal preserves the overall character and appearance of the Conservation

Area and does not harm its significance, as per the provisions of Chapter 16 of the NPPF and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

If approved conditions should require the submission of:

- Details of the types and manufacturers of external materials;
- Detailed drawings of windows doors, eaves and verges; and
- Details of hard and soft landscaping including new boundary treatments.

3. **Planning History**

TPC/96/11	2 Silver Birch	Current	04.04.1996
03/01857/TCA	Reduce two Silver Birches by 25%, front and back of property	Approved	09.10.2003
10/00142/TCA	2 No. Silver birch - reduce by 25%	Approved	12.03.2010
13/00040/TCA	2 No. Silver Birch - reduce by 30%	Approved	05.02.2013
15/00014/TCA	2 No. Silver Birch - reduce by 25%	Approved	03.02.2015
22/02012/TCA	Silver birch tree at front of the property. Silver birch tree at rear of the property. Both trees to be reduced by 25%, clear any cables and phone lines, remove all wood and brush.	Approved	13.01.2023

4. **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 Local Plan 2013-33 and Beyond (adopted January 2021 and January 2022, respectively), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any Neighbourhood Plans that have been made and the Minerals and Waste Local Plans adopted by Essex County Council.

5. **Neighbourhood Plans**

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

At the time of writing, there are no draft or adopted neighbourhood plans relevant to this site.

6. Relevant Policies / Government Guidance

National:

National Planning Policy Framework December 2024 ([NPPF](#))

National Planning Practice Guidance ([NPPG](#))

Local:

Tendring District Local Plan 2013-2033 and Beyond [Section 1](#) (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development

SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

SP3 Spatial Strategy for North Essex

SP4 Meeting Housing Needs

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond [Section 2](#) (adopted January 2022)

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

PPL8 Conservation Areas

PPL10 Renewable Energy Generation and Energy efficiency Measures

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

Supplementary Planning Documents

Tendring Provision of Recreational [Open Space for New Development SPD](#) 2008

[Essex Design Guide](#)

[Technical housing standards](#): nationally described space standard Published 27 March 2015

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

7. Officer Appraisal (including Site Description and Proposal)

Site Description

The enquiry site relates to an existing dwelling and residential curtilage located to the west of The Path, Great Bentley within the identified Settlement Development Boundary. To the north of the enquiry site are a pair of semi-detached dwellings which front onto the Village Green beyond to the east. To the south of the application site are No's 1 & 2 The Path. To the west of the site are the rear gardens of detached dwellings located off Cherrywood.

There is no relevant planning history on the site, however a previous pre-application response was issued in July 2024 where heritage concerns were raised and a pre-app in November 2024 also received a requirement for amendments to the scheme to make it acceptable from a heritage viewpoint.

Assessment

Design, Scale, Layout and Appearance

Paragraph 135 of the NPPF (2024) 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. Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context, and to protect the district's landscape and the quality of existing places and their environs.

Detailed design comments have been provided in collaboration with the Essex Place Services due to the site's location within the Great Bentley Conservation Area.

Officers consider the proposals provide a good opportunity to enhance an existing dwelling in terms of visual impact, design, scale and form that respects the character of the conservation area. The detailed design and access statement gives details in respect of the current condition of the dwelling and the surrounding curtilage.

The design has been altered following the site visit on 23rd September. The proposed replacement of the existing garage with a building with a pitched roof is uncontentious as this will give the building a more traditional appearance, particularly when viewed from the Green. The existing cottage will be largely retained but modernised through substantial additions. From a scale, layout and appearance perspective the extensions are generally acceptable; however, given the key heritage elements here further discussion is provided in the Heritage section below.

Residential Amenities – Existing and Future Residents

Paragraph 135 of the NPPF confirms planning policies and decisions should create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users.

Policy SP7 of the Tendring District Local Plan requires that the amenity of existing and future residents is protected. Policy SPL3 seeks to ensure that development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

The proposed extensions are predominately utilising the existing footprint of the dwelling which is already closely bound by Allen House to the north and east. The central portion of the proposals consist of the creation of a two-storey extension which extends westwards. It is unclear what the use of the building immediately to the west of the site is but it appears to be a garage servicing the property due west, as such the impact of the proposals on the properties to the west, given the distances involved and absence of any openings in the west facing elevation, would not be so severe as to warrant a refusal of planning permission.

As noted, the main bulk of the extensions will be concentrated to the west and northwest of the existing property but given the position of the existing house hard up against the shared boundary with the garden serving Allen House to the north, there is the potential for the works to significantly alter the outlook as experienced from the rear garden serving Allen House.

Therefore, in this instance, it is considered that the extensions will have an unacceptable impact upon the residential amenity levels of the occupier's due east at Allen House by virtue of the significant loss of amenity in their rear garden. The proposals would significantly increase the massing and bulk of the application property and this, in turn, would result in the property appearing oppressive and overbearing when viewed from the neighbour's garden and rear facing windows. Moreover, the rear garden at Allen House is located directly to the north of the application site and is narrow in form. The proposed works aim to increase the scale and bulk of the application property in close proximity to the shared boundary resulting in significant overshadowing to the garden area and rear elevation of the property, to the significant detriment of its use as a usable private amenity space severely harming the resident's amenity.

It is therefore considered that the proposals are not consistent with both National and Local Policy with regards to amenity impacts.

Visual and Landscape Impact

Paragraph 135 of the NPPF states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

Policy SPL3 – Part A (c) of the Local Plan states that development must respect or enhance local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features.

The site is currently heavily overgrown but provides an excellent opportunity to enhance the surrounding landscape with due regard to the Village Green setting and the protection of important landscape features already on site. A Preliminary Ecological Appraisal and an Arboricultural Impact Assessment have been provided to ensure the protection of both flora and fauna on site and with recommendations included to enhance the existing landscape and improve the visual impact of the proposals on the sites wider setting. Further details on the above are assessed in the relevant sections below.

Trees and Landscaping

The applicant has provided an Arboricultural Impact Assessment (AIA) as part of the application. The Council's Tree & Landscape Officer has been consulted as part of the application and states that the garden associated with the application site contains two large Silver Birch (*Betula pendula*) that make a positive contribution to the character and appearance of the conservation area. It contains several established shrubs that help to soften the appearance of the locality but that do not fall within the scope of legislation under which they would merit formal legal protection.

The positions of the Silver Birch trees are such that the development proposal could be implemented without causing harm to either of the Silver Birch. Both trees are afforded formal legal protection.

Section 2.5 of The Design and Access Statement (DAS) states that both Silver Birch are to be retained and physically protected for the duration of the construction phase of an approved planning permission. The DAS also states that other mature vegetation will be retained where possible for its screening and softening value.

To show that the development proposal can be implemented without causing harm to retained trees the planning application is supported by an Arboricultural Impact Assessment (AIA). The AIA contains a Tree Protection Plan (TPP) and an Arboricultural Method Statement (AMS).

This information is in accordance with BS5837 2012 Trees in relation to design demolition and construction. The information provided is sufficient to demonstrate that the proposed development can be implemented without causing harm to the retained Silver Birch.

Should planning application is likely to be granted then details of soft landscaping should be secured by a planning condition. Soft landscaping should aim to soften, screen and enhance the appearance of the development.

On this basis the proposals are considered to be in accordance with both national and local policy with regards to trees and landscaping.

Highway Safety

Paragraph 115 of the National Planning Policy Framework 2024 seeks to ensure that safe and suitable access to a development site can be achieved for all users, whilst Paragraph 104 requires that streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

Adopted Policy CP1 (Sustainable Transport and Accessibility) of the Tendring District Local Plan 2013-2033 states that planning permission will only be granted if amongst other things; access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate, and the design and layout of the development provides safe and convenient access for people.

Essex County Council have been consulted as part of this application and raise no objection subject to conditions. The proposals also comply with the Parking Standards which state that a 4-bedroom dwelling must provide a minimum of 2 parking spaces.

Heritage Assets

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

Paragraph 212 of the NPPF (2024) confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 208 of the NPPF refers to proposals affecting heritage assets. It states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 205 extends that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Policy PPL8 refers to Conservation Areas, it states that new development within a designated Conservation Area, or which affects its setting, will only be permitted where it has regard to the desirability of preserving or enhancing the special character and appearance of the area, especially in terms of a. scale and design, particularly in relation to neighbouring buildings and spaces; b. materials and finishes, including boundary treatments appropriate to the context; c. hard and soft landscaping; d. the importance of spaces and trees to the character or appearance; and e. any important views into, out of, or within the Conservation Area. Where a proposal will cause harm to a Conservation Area, the relevant paragraphs of the NPPF should be applied dependent on the level of harm caused.

Essex Place Services have been consulted on this application and raise no objections to the amended design which is considered to conserve and enhance the character and setting of the Conservation Area in accordance with National and Local Policy.

Habitats, Protected Species and Biodiversity Enhancement

Ecology and Biodiversity

General duty on all authorities

The Natural Environment and Rural Communities Act 2006 amended by the Environment Act 2021 provides under Section 40 the general duty to conserve and enhance biodiversity: “For the purposes of this section “the general biodiversity objective” is the conservation and enhancement of biodiversity in England through the exercise of functions in relation to England.” Section 40 states authorities must consider what actions they can take to further the general biodiversity objective and determine policies and specific objectives to achieve this goal. The actions mentioned include conserving, restoring, or enhancing populations of particular species and habitats. In conclusion for decision making, it is considered that the Local Planning Authority must be satisfied that the development would conserve and enhance.

This development is subject to the general duty outlined above. An informative has been imposed strongly encouraging the applicant to improve the biodiversity of the application site through appropriate additional planting and wildlife friendly features. Therefore the development on balance, with consideration of the impact of the development and baseline situation on site, is considered likely to conserve and enhance biodiversity interests.

Biodiversity net gain

Biodiversity net gain (BNG) is an approach that aims to leave the natural environment in a measurably better state than it was beforehand. This excludes applications for Listed Building Consent, Advert Consent, Reserved Matters, Prior Approvals, Lawful Development Certificates, householders, self builds, and other types of application which are below the threshold i.e. does not impact a priority habitat and impacts less than 25 sq.m of habitat, or 5m of linear habitats such as hedgerow). This proposal is for a householder development is not therefore applicable for Biodiversity Net Gain.

Protected Species

In accordance with Natural England’s standing advice the proposed development site and surrounding habitat have been assessed for potential impacts on protected species. The applicant has provided a PEA which has not identified any protected species or habitat on site. It is considered that the proposal is unlikely to adversely impact upon protected species or habitats.

Conclusion

In accordance with the overarching duty outlined above, this development is considered to accord to best practice, policy, and legislation requirements in consideration of the impacts on ecology interests.

8. Recommendation

Refusal

9. Reasons for Refusal

1. Paragraph 135 of the National Planning Policy Framework 2024 (NPPF) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, including the surrounding built environment and maintain a strong sense of place. It also states that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants. Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context and requires that the amenity of existing and future residents is protected. Part C also seeks to

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

In this instance, it is considered that the extensions will have an unacceptable impact upon the residential amenity levels of the occupiers at Allen House, to the north and east of the site, by virtue of the significant loss of amenity to their rear garden. The proposals would significantly increase the massing and bulk of the application property and this, in turn, would result in the property appearing oppressive and overbearing when viewed from the neighbour's garden and rear facing windows. Moreover, the rear garden at Allen House is located directly to the north of the application site and is narrow in form. The proposed works aim to increase the scale and bulk of the application property in close proximity to the shared boundary resulting in significant overshadowing to the garden area and rear elevation of the property, to the significant detriment of its use as a usable private amenity space and severely harming the resident's amenity.

The development is therefore contrary to the aims and aspirations of both National and Local Policy, as noted above, with regards to residential amenity impacts.

10. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

Plans and Supporting Documents

The Local Planning Authority has resolved to refuse the application for the reason(s) set out above. For clarity, the refusal is based upon the consideration of the plans and supporting documents accompanying the application as follows, (accounting for any updated or amended documents):

Site Plan – Received 19.11.2024

Drawing No. 2402-DMAC-00-ZZ-DR-A-21-S1-P01 – Received 22.11.2024

Drawing No. 2402-DMAC-00-ZZ-DR-A-12-S1-P03 – Received 19.11.2024

Drawing No. 2402-DMAC-00-ZZ-DR-A-13-S1-P04 – Received 22.11.2024

Drawing No. 2402-DMAC-00-ZZ-DR-A-11-S1-P07 – Received 22.11.2024

Drawing No. 2402-DMAC-00-ZZ-DR-A-10-S1-P08 – Received 22.11.2024

Preliminary Ecological Appraisal – Received 19.11.2024

Design & Access and Heritage Statement – Received 19.11.2024

Arboricultural Impact Assessment – Received 19.11.2024

11. Equality Impact Assessment

In making this recommendation/decision regard must be had to the public sector equality duty (PSED) under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions that in summary include A) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; B. Advance equality of opportunity between people who share a protected characteristic* (See Table) and those who do not; C. Foster good relations between people who share a protected characteristic* and those who do not, including tackling prejudice and promoting understanding.

It is vital to note that the PSED and associated legislation are a significant consideration and material planning consideration in the decision-making process. This is applicable to all planning decisions including prior approvals, outline, full, adverts, listed buildings etc. It does not impose an obligation

to achieve the outcomes outlined in Section 149. Section 149 represents just one of several factors to be weighed against other pertinent considerations.

In the present context, it has been carefully evaluated that the recommendation articulated in this report and the consequent decision are not expected to disproportionately affect any protected characteristic* adversely. The PSED has been duly considered and given the necessary regard, as expounded below.

Protected Characteristics *	Analysis	Impact
Age	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

12. Notification of Decision

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO
Has there been a declaration of interest made on this application?	YES	NO