

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	ER	23/04/2025
EIA Development - Notify Planning Casework Unit of Decision:	N/A	
Pre-commencement condition agreement:		
Team Leader authorisation / sign off:	ML	25/04/2025
Assistant Planner final checks and despatch:	ER	25/04/2025

Application: 25/00373/FULHH **Town / Parish:** Little Bentley Parish Council

Applicant: Mr and Mrs Power

Address: Jessica Cottage Ravens Green Little Bentley

Development: Householder Planning Application - Part side and part rear extensions to form additional living space.

1. **Town / Parish Council**

Little Bentley Parish Council No objections to the proposal.

2. **Consultation Responses**

Not applicable to this application.

3. **Planning History**

Not applicable to this application.

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 2025 (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):

SP1 Presumption in Favour of Sustainable Development

SP7 Place Shaping Principles

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

SPL1 Managing Growth

SPL3 Sustainable Design

LP3 Housing Density and Standards

LP4 Housing Layout

PPL3 The Rural Landscape

Supplementary Planning Guidance:

Essex Design Guide

Local Planning Guidance:

[Essex Parking Guidance](#) Part 1: Parking Standards Design and Good Practice 2024

7. Officer Appraisal (including Site Description and Proposal)

Application Site

The application site comprises of a modest sized semi-detached cottage located within the rural setting of Little Bentley. The house is set back from the front boundary with an area to the side currently used as parking and a large rear garden area. The house is finished in a pink render and includes one bedroom at first floor and kitchen/ living space at ground floor with a bathroom.

The house is semi-detached and joins Aldawin Cottage which has previous extended outwards to the side to provide additional living space. This neighbour benefits from a large side garden and limited rear space as the application dwelling rear garden wraps tightly around this neighbour's house.

The local area is rural in character with houses being spread apart and modest in size and well contained within their plots allowing for sufficient open space to be retained between the built form and contributing to the rural character of the area.

Proposal

This application seeks planning permission for the erection of a rear two storey extension 8.5m in depth, 8.5m in width and 6m in height. The extension will incorporate a single storey front porch as well as a rear facing dormer window. The proposal will consist of a brick plinth, timber cladding and UPVC windows and doors.

Assessment

Visual Impact

Paragraph 135 of the NPPF (2025) 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.

Policy PPL3 states that The Council will protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance,

The existing site comprises of a modestly sized one bedroom cottage which is set back from the front boundary and finished in render. The proposed enlargements would result in a new two storey

extension which would wrap around the existing building with a rear dormer window. The enlargements would be finished in timber cladding.

The nearest neighbouring dwelling of Aldawin Cottage is a two storey house with extensions projecting to the side of the site. There is a slight reduction between what is presumed to be the original house and side extension in terms of height providing contrast between the two elements. Whilst there is no recent history of these extensions it would appear the original house has been encompassed within these enlargements. The scale and design of these enlargements are considered appropriate changes to the neighbouring site which respect the rural setting.

The proposed enlargements to the application dwelling would result in the formation of three significantly larger rooms at ground floor and two large bedrooms and landing at first floor. The plans show that the extensions will include a pitched roof design with side facing gables and front canopy feature. The overall size and proposed design here is considered to be disproportionate to the existing smaller cottage, as they would cumulatively alter the way in which the property is viewed with the enlargements forming a new focal point feature set behind the existing house.

This approach is considered to represent a drastic change which would overwhelm the existing property and would not be sympathetic the host dwelling or its countryside setting.

Furthermore, the proposed enlargements fail to allow for any consistencies between the application house and its adjoining neighbour with these variances significantly disrupting the existing presence of this pair of cottages within Ravens Green and further exacerbating the change resulting in a notably harmful impact to the overall character and appearance to the dwelling and locale.

The proposed enlargements due to their excessive size and inappropriate design would not respond sympathetically to the more traditional setting of the existing cottage and are therefore considered to conflict with the above policies resulting in detrimental harm to the overall character and appearance of the existing dwelling and surrounding rural area.

Highway Safety

Paragraph 115 of the National Planning Policy Framework 2025 seeks to ensure that safe and suitable access to a development site can be achieved for all users, whilst Paragraph 109 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.

The Essex County Council Parking Standards states that where a house comprises of two or more bedrooms that 2no parking spaces should be retained which measure 5.5m by 2.9m per space.

The proposal will encroach upon the existing front and side space of the site which are currently used for parking however these spaces are large enough in size to accommodate the extension and still suitably provide off street parking for at least two vehicles in line with the above standards.

The proposal will therefore not conflict with highway safety.

Impact to Neighbours

Paragraph 135 of the National Planning Policy Framework (2025) confirms planning policies and decisions should create places that are safe, inclusive and accessible and which promote health and well being, with a high standard of amenity for existing and future users.

Policy SP7 of Section 1 of the 2013-33 Local Plan requires that the amenity of existing residents is protected. Section 2 Policy SPL 3 (Part C) seeks to ensure that development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

Sited to the east is Aldawin Cottage which is the two storey, semi-detached adjoining house. This house benefits from its garden to the side allowing for a very small area of private amenity to the rear. The proposed extensions will be set off this shared boundary and away from the neighbouring house and its area of private amenity preventing them from resulting in a significant loss of amenities.

There are no immediate neighbouring properties to the north and west of the site.

Ecology and Biodiversity

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. Should the application be approved then an informative will be 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 (BNG) is an approach that aims to leave the natural environment in a measurably better state than it was beforehand. This excludes applications for householder development. This proposal is not therefore applicable for Biodiversity Net Gain.

In accordance with Natural England's standing advice the proposed development site and surrounding habitat have been assessed for potential impacts on protected species. It is considered that the proposal is unlikely to adversely impact upon protected species or habitats.

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.

Other Considerations

Little Bentley Parish Council have no objections to the proposal.

One letter of support has been received in regard to the application detailing their approval that the building will be more of a liveable and usable space.

Officer Response – Whilst the proposal will result in a larger space for family members the current design and formation does not respond well to the form and character of the existing house.

The applicants/ agents are advised to reconsider the design of the proposal and submit a pre application enquiry to ascertain the best way forward for the development.

Conclusion

The proposed additions will be sited sufficiently away from the adjoining neighbouring site and other residential properties preventing a harmful loss of amenities to such. The site itself is sufficient in size to support the proposal along with suitable parking facilities in line with the above standards.

Notwithstanding this impact the proposed enlargements due to their excessive size and inappropriate design would not respond sympathetically to the more traditional setting of the existing cottage and are therefore considered to conflict with the above policies resulting in detrimental harm to the overall character and appearance of the existing dwelling and surrounding rural area. The application is therefore recommended for refusal.

8. Recommendation

Refuse

9. Reasons for Refusal

The overall size and design of the proposals are considered to be disproportionate and would overwhelm the existing smaller traditional cottage. The extensions would significantly alter the appearance of the property and would result in an incoherent development that, due to the unsympathetic design and scale of the additions, would appear as two separate unrelated elements. Consequently, the proposals would significantly alter the appearance of the host dwelling and would, therefore, result in a harmful impact to the character and appearance of the existing streetscene and wider countryside setting.

The proposed enlargements fail to allow for any consistencies between the application house and its adjoining neighbour with these variances significantly disrupting the existing presence of this pair of cottages within Ravens Green and further exacerbating the change resulting in a notably harmful impact to the overall character and appearance to the dwelling and locale.

The proposal is therefore contrary to paragraphs 135 of the National Planning Policy Framework (2025) and policies PPL3 and SP7 of the Tendring District Local Plan 2013-2033 and Beyond Section 2.

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):

P02 - SITE PLAN - REC'D 04/03/25

BLOCK PLAN, EXISTING AND PROPOSED FLOOR PLANS AND ELEVATIONS REC'D 06/03/2025

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