

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	17/07/2018
Planning Development Manager authorisation:	SCE	17.07.18
Admin checks / despatch completed	ER SB	19/7/18 19/07/18

Application: 18/00894/FUL **Town / Parish:** Thorrington Parish Council

Applicant: Ms G Smart

Address: 1 Heathlands Thorrington Colchester

Development: Two storey rear extension.

1. Town / Parish Council

Thorrington Parish Council – No Comments received

2. Consultation Responses

Not Applicable

3. Planning History

76/01302/FUL	8 dwellings and garages (revised house types plots 8-15)	Approved	25.01.1977
09/00205/FUL	Erection of single storey front and side extensions and conversion of garage (to accommodate staff and residents living together as a single household - Use Class C3 Dwelling House).	Refused	10.06.2009
18/00894/FUL	Two storey rear extension.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework
National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG9 Private Amenity Space

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. Importantly the Inspector has confirmed that the housing requirement for Tendring of 550 new homes per annum for the period up to 2033 is based upon sound evidence. There are however concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal (including Site Description and Proposal)

Application Site

The application site comprises of a north facing two storey dwelling "1 Heathlands." The existing dwelling has been constructed from a mixture of brick and render and has a detached garage north west of the dwelling. The site is a corner plot which shares boundaries with Clove Drive and Heathlands. The dwelling is positioned back from Clover Drive with a large open area to the north and some walling to screen a garden area which is also positioned ample distance from the highway.

Proposal

This application seeks permission for the erection of a two storey rear extension.

Assessment

Design and Appearance

The proposal is of a size and scale which is appropriate to the existing dwelling and will be finished in materials which match the existing house.

Whilst the proposal will be sited to the rear of the existing dwelling due to the sites corner plot location it will be a noticeable feature.

The proposed extension will not extend beyond the front wall of the existing house and will be lower in height by 0.10m resulting which will prevent it from over dominating the host dwelling.

The enlargement will be sited 18m from the front boundary shared with Clover Drive and partially screened by the existing double garage. This set back together with partial screening will reduce its prominence within the streetscene preventing it from having a harmful impact to the appearance and character of the existing dwelling and area.

The initial plans showed that the proposed side elevation of the enlargement facing Clover Drive would be finished in brick and only have an opening at single storey level. It was considered such

an expanse of wall would have a detrimental impact to the area and host dwelling. Plans have since been amended to show a new window at first floor level which will soften the appearance of the brick to be used.

Saved Policy HG9 of the Adopted Local Plan 2007 states that when a property comprises of 3 or more bedrooms that it should retain a private amenity space area of 100m². The existing private amenity space to the rear of this dwelling is 122m² and will be reduced to 92.5m² in order to facilitate this proposal. Whilst the provision of the proposal will reduce the private amenity area to under the required amount the site will still retain a useable area of private amenity space and therefore the loss of this space is not so significant to justify refusing planning permission.

Impact on Neighbours

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

Located to the rear is 23 Clover Drive. The proposal will be visible to this neighbour however due to its distance of 8m from the neighbouring boundary will not result in a significant impact in terms of loss of light or outlook to this neighbour.

The existing dwelling has two windows which serve the rear bedrooms currently looking onto the garden of 23 Clove Drive. As a result of the extension to the bedrooms these will be in closer proximity to this neighbour's rear garden. Whilst this will result in further overlooking to this neighbour, the garden of 23 Clover Drive is already overlooked by this neighbour and therefore this impact is not so significant to justify refusing planning permission.

The neighbouring dwelling of 3 Heathlands sited to the south of the site matches the design of the host dwelling and has an existing conservatory and as a result of the orientation of the sites the proposal will not result in a loss of light to this neighbour.

As a result of its two storey nature the proposal will result in a loss of outlook to this neighbour. The proposal will be set off of this neighbours boundary by 1.5m with the ground floor being screened by the existing boundary fencing.

Due to its distance from the neighbour and as the extension will not significantly extend beyond the adjacent dwellings conservatory it is considered that the loss of outlook is not so significant so warrant refusing planning permission.

The existing dwelling has two first floor windows serving the bedrooms which are to be enlarged. As a result of the enlargement the windows will no longer look into this neighbouring dwellings immediate private amenity space but further to the rear garden. As there are already existing windows at first floor level it is therefore considered that there would not be a significant impact to this neighbour in terms of loss of privacy.

Other Considerations

Thorrington Parish Council have not commented on the application
No further letters of representation have been 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 plans: P01b.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.