

## DELEGATED DECISION OFFICER REPORT

| AUTHORISATION                               | INITIALS | DATE       |
|---|----------|------------|
| File completed and officer recommendation:  | ER       | 17/08/2018 |
| Planning Development Manager authorisation: | SCE      | 22.08.18   |
| Admin checks / despatch completed           | ER       | 23/08/18   |

*File*

**Application:** 18/01070/FUL **Town / Parish:** Clacton Non Parished  
**Applicant:** Mr & Mrs Gillies  
**Address:** 8 Mountview Road Clacton On Sea Essex  
**Development:** Ground floor extension to form study and first floor extension to form two ensembles.

### 1. Town / Parish Council

Clacton is non parished

### 2. Consultation Responses

Not applicable

### 3. Planning History

|              |   |          |            |
|--------------|---|----------|------------|
| 03/00580/FUL | First floor extension   | Refused  | 21.05.2003 |
| 03/01469/FUL | First floor dormer extension to side.   | Approved | 15.09.2003 |
| 13/00355/FUL | Proposed outbuilding for use as annexe.   | Approved | 28.05.2013 |
| 18/01070/FUL | Ground floor extension to form study and first floor extension to form two ensembles. | Current  |            |

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018  
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  
HG14 Side Isolation  
TR1A Development Affecting Highways  
TR7 Vehicle Parking at New Development  
HG9 Private Amenity Space

### **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 48 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. They raise 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 48 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 west facing two storey detached dwelling "8 Mountview Road." The existing dwelling is finished in render and brick and has an integral garage. The host dwelling is set back from the front boundary with an area of hard surfacing to the front and a low brick boundary wall.

### **Proposal**

This application seeks permission for the erection of a ground floor front extension and a first floor side extension.

### **Assessment**

#### **Design and Appearance**

The local vicinity comprises of predominantly single storey dwellings with only a few two storey dwellings. The dwellings are set on fairly wide plots with some incorporating side garages.

The existing dwelling has a previous flat roof single storey side extension which is set back from the front of the site. The proposal seeks to extend on this element with a single storey front extension and first floor level extension.

The proposal will be sited to the side and will be a noticeable feature within the streetscene.

The single storey enlargement will be set back from the front wall by 1.5m and the first floor element will be set back from the front wall by 2.6m and 0.3m lower than the height of the existing

house. The proposal will be finished in materials which match the existing house and will share a similar hipped roof design to the existing house.

The proposal will also be set back from the front of the site by 7m which will reduce its impact to the streetscene further.

As a result of the aforementioned reasons it is considered that whilst the proposal will be a noticeable addition to the existing house as it includes features which are consistent with the host dwelling and be of an appropriate size which would not dominate the existing house it is considered that the proposal would not result in a harmful impact to the appearance or character of the existing dwelling and area.

#### Side Isolation

Policy HG14 of the Tendring District Local Plan (2007) states that, extensions to dwellings over 4m in height should retain appropriate open space between dwellings and the side boundaries to safeguard the amenities and aspect of adjoining residents. As a guideline a minimum distance of 1 metre will be sought. Where circumstances warrant it, a greater distance will be sought.

The proposed single storey enlargement will be constructed on the boundary however will be 3.5m in height.

The first floor enlargement will be 7.5m in height and 0.75m from the boundary. The adjacent dwelling of 6 Mountview Road comprises of a single storey dwelling with garage sited between the neighbour and application dwelling. This neighbouring garage creates an open space between the host site and neighbour. Whilst the proposed first floor element is contrary to policy HG14 it will be set in from the neighbour by 0.75m which is only 0.25m shy of the 1m guideline specified within HG14 and as a result of the separation distance between the proposal and 6 Mountview Road created by the neighbouring dwelling garage the proposal would be sufficient distance away from this neighbouring house to prevent it from appearing cramped within the streetscene as well as reduce its impact to this neighbouring dwelling (which is dealt with in more detail below).

#### Highway Safety

The proposed front enlargement will encroach upon the existing parking at the site. Essex County Council Parking Standards state that where a dwelling comprises of 2 or more bedrooms that two parking spaces measuring 2.9m by 5.5m per space should be retained. This proposal is an extension to the existing dwelling which does not generate the need for any additional parking. Due to the dwellings set back from the front of the site it is considered that there is sufficient space for accommodate the proposal and still retain two parking spaces at the required sizes. The proposal would therefore not result in a detrimental impact to highway safety.

#### Impact on Neighbours

The proposal will not result in a loss of amenities to 10 Mountview Road as it will be predominantly screened by the host dwelling.

The proposal will be visible to the dwellings to the rear located in Carlton Road however as a result of its distance of 20m from the rear boundary would not result in a loss of light or outlook to these properties.

The proposal includes a new window at first floor level which has the potential to result in additional overlooking to the neighbouring dwellings in Carlton Road and 6 Mountview Road. However the new window will serve an ensuite and is therefore likely to be obscure glazed, it is also adjacent to an existing bedroom window which already result in some overlooking. It is therefore considered the level of overlooking created by this new window is not so significant to justify refusing planning permission.

To the south of the host dwelling is 6 Mountview Road which comprises of a single storey dwelling which is sited 3m from the boundary and has an adjacent garage. Positioned along this dwellings side elevation are three openings which serve a bedroom, bathroom which is obscure glazed and entrance hall. The application dwelling being two storey currently screens these windows affecting light and outlook. The enlargement of the house at first floor will reduce this further. Whilst the

ground floor enlargement will be sited on the boundary the first floor enlargement will be set off of the boundary by 0.75m and incorporate a hipped roof design. As a result of the 3m distance of this neighbour to its boundary together with the proposals setting off of the boundary along with its design it is considered that the loss of light and outlook would not be so significant to refuse planning permission on.

The proposal will not extend beyond the rear of this dwelling.

#### Other considerations

Clacton is non parished and therefore no comments are required.

Three letters of objection have been received in relation to this application. Their comments are listed below;

- Insufficient parking at site which will result in a significant impact to highway safety.

The Essex County Council Parking Standards states that where a property comprises of 2 or more bedrooms that two spaces should be retained measuring 5.5m by 2.9m. The dwelling is set back on its plot with a landscaped area and driveway which is of a sufficient size to accommodate the proposal and sufficient parking in line with the Essex County Council Parking standards.

- Loss of daylight to neighbouring property.

See report above.

- Existing area is predominantly single storey dwellings and proposal will not be inkeeping with this character.

The local area does comprise of predominantly single storey dwellings with a few sporadically placed two storey dwellings. Whilst the first floor element is not entirely keeping with the single storey character of the area the host dwelling is of a two storey design. The proposal will be inkeeping with the host dwelling and as a result of its set back from the front of the site and lower height will appear subservient to the host dwelling reducing the level of impact to the areas existing character.

- Existing extension already abuts boundary and did not obtain planning approval.

As a result of its size the existing single storey extension may not have needed planning consent.

Whilst the proposal will incorporate the existing extension which joins the boundary the first floor element will be stepped in by 0.75m to reduce the level of impact to the neighbouring dwelling.

- Occupiers would need to obtain neighbours permission to enter their land during construction and maintenance.

This is not a material planning consideration and is a civil matter between the occupiers of the application dwelling and neighbouring property. The granting of planning permission does not automatically give consent to access land within different ownership for construction purposes.

- Overdevelopment.

The proposal is of an appropriate to design to the existing dwelling which will be lower in height than the host dwelling. The dwelling is positioned on a fairly wide plot with the first floor element of the proposal being stepped in. Saved Policy HG9 states that where a property comprises of 3 or more bedrooms that a private amenity space of 100m<sup>2</sup> should be retained. Sited to the rear is a large rear garden which has sufficient space to accommodate the proposal and still retain 330m<sup>2</sup> of private amenity space. As a result of the aforementioned reasons it is considered that the proposal is appropriate to the site and would not represent overdevelopment.

- Use of dwelling as a house of multiple occupation.

The proposal comprises of a new study and two new ensuites in association with the existing house. If the occupiers wish to use the premises as a house of multiple occupations then separate planning consent will be required.

#### 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: 1834-03 Revision B.

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 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.