

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	23/08/2018
Planning Development Manager authorisation:	SCE	24.08.18
Admin checks / despatch completed	RNO	24/08/18

Application: 18/01068/FUL **Town / Parish:** Mistley Parish Council

Applicant: Mr & Mrs S Henry

Address: Norwood 109 Harwich Road Mistley

Development: Single and two storey extensions to the rear with alterations including enclosing porch.

1. Town / Parish Council

Mistley Parish Council Mistley Parish Council, having reviewed the application and noting the positioning of the proposed work believes there is no adverse or supporting comments it needs to make and is happy to defer to the Planning Officers expert opinion.

2. Consultation Responses

N/A

3. Planning History

18/01068/FUL Single and two storey extensions to the rear with alterations including enclosing porch. 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
HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries
HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design

Local Planning Guidance
Essex Design Guide

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Site Description

The application site is located to the north of Harwich Road, outside of the development boundary of Mistley. It serves a detached two storey dwelling, set within a large plot, constructed of red brick at ground floor, cream render at first floor and with a tile roof. The front of the site consists of a gravel driveway with lawn area and the front boundary has a 1m close boarded fence with hedging planted within the boundary. A detached red brick double garage is located to the west of the dwelling. Access gates leading to the rear garden are located on both sides of the dwelling. The rear garden is predominantly grass with a patio adjacent to the property and a pathway leading to the back of the garden. Mature planting and fencing exists on the boundaries. Adjacent to the site, to the west, is a development of 4 no. dwellings which is currently under construction; to the east is a residential dwelling.

Proposal

The application proposes ground and first floor rear extensions and alterations including enclosing the front porch.

The ground floor extension measures 2.4m deep by 8.55m wide with a flat roof that has a height of 3.175m. The first floor extension has a footprint of 4.54m wide by 4.58m deep, plus a glazed atrium located between the two rear gables and an under terrace area beneath the extension.

Enclosing the front porch will result in the porch having dimensions of 2.9m wide by 0.9m deep, whilst retaining the existing monopitch roof, which has a maximum height of 3.5m.

The proposed materials will consist of brickwork at ground floor level, rough render at first floor and roof tiles to match the existing dwelling.

Assessment

The main considerations of this application are the design and the impact on residential amenity.

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Policy HG12 of the Tendring District Local Plan (2007) seeks to ensure that extensions outside of the development boundary satisfy general design criteria set within the above mentioned policies and amongst other things, would not represent overdevelopment of the site.

Design

The proposed enclosing of the front porch is a modest alteration that is considered to fit satisfactorily with the remainder of the dwelling. It does not project any further than the front gable and is the same height as the existing porch canopy. Furthermore, the property is set back over 12m from the front boundary and the front boundary treatment obscures most views of the porch when viewed from the road. The design and use of materials is considered to have a neutral impact upon the street scene and is acceptable in design terms.

The rear extensions and alterations are also considered to be of a scale, nature and design appropriate to the site and the surrounding area. The introduction of the second rear gable creates a form of symmetry to the appearance of the dwelling and it does not project any further than the existing rear gable. The design is considered to create a development that appears well related and in proportion to the existing dwelling and the use of matching materials will also assist in blending the development. There will be no views of the rear extensions from the road resulting in no impact on the street scene. The plot is considered large enough to accommodate development of this scale so would not represent overdevelopment of the site.

Impact on Residential Amenity

The proposed porch infill does not have any impact on the residential amenity of neighbouring property as the infill will not be visible from either neighbour.

The proposed development to the rear of the property will be located 7m from the western boundary which adjoins the dwellings currently under construction; and over 10m from the eastern boundary shared with the neighbour at No. 111 Harwich Road.

The single storey rear extension will have a maximum height of 3.175m. The existing garage and planting on the side boundary will obscure views of this part of the development from the properties under construction and due to its flat roof nature and proximity to the boundary the single storey extension is not considered to cause any adverse impact on the privacy, amenity or aspect of adjoining neighbours.

No. 111 Harwich Road is the neighbour closest to the first floor extension. However, due to the separation of over 10m between the extension and the neighbour's boundary, and as a result of existing planting and boundary treatments, the development is not considered to cause any adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property and the development is considered acceptable in this regard.

Other Considerations

Mistley Parish Council has no adverse or supporting comments to make.

No letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the 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: Drawing Number 1801/862-103 Revision A and 1801/862-102 Revision C.

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.

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