

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	26/10/2018
Planning Development Manager authorisation:	SCE	29.10.18
Admin checks / despatch completed	CD SB	29/10/18 29/10/18

**Application:** 18/01456/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr & Mrs Scott

**Address:** 90 Golf Green Road Jaywick Clacton On Sea

**Development:** Alterations to existing roof including raising exiting roof and new dormer windows.

**1. Town / Parish Council**

Clacton non parished

**2. Consultation Responses**

Not applicable

**3. Planning History**

18/01456/FUL      Alterations to existing roof including raising exiting roof and new dormer windows.      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  
TR7 Vehicle Parking at New Development  
TR1A Development Affecting Highways

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 south west facing detached dwelling known as 90 Golf Green Road. The dwelling has an existing hipped roof design and front porch area. Sited to the front of the dwelling is an existing area for parking and low brick boundary wall. Adjacent to the dwelling is a shared access which leads to the dwellings to the rear. Sited to the rear is an existing garden area bordered by timber fencing and beyond the fencing are two garages.

### Proposal

This application seeks permission for the raising of the existing dwellings roof and provision of two new dormer windows to the side, roof lights and opening at first floor level to the rear.

Upon initial receipt of the application the plans showed that the applicants wish to change the roof from a pitched roof to a mansard roof type. As the surrounding area comprises of predominantly hipped or pitched roof designs it was considered that the change to a mansard would not be inkeeping with the area. After negotiations with the agent it has been decided that the application should be amended to raise the roof of the house and erect two new dormer windows. This approach was considered to be more consistent with the area and amended drawings have been provided showing this change.

### Background

This property is located within the Article 4 Direction of Jaywick permitted development rights for enlargements to the roof space have been removed.

### Assessment

#### Design and Appearance

The local area comprises of predominantly detached dwellings varying in design and roof type. Many of these dwelling have previously extended by way or dormer windows and balconies.

The proposal will involve the raising of the roof and introduction of two new dormer windows which would is considered to be inkeeping with other surrounding properties attributing to the areas existing character.

Whilst the increase in height will be a noticeable change, the existing dwelling is set back on its plot and upon completion would result in the dwelling appearing consistent with others within the area. There is an existing access to the side which serves the properties to the rear which results in an open space being formed between the host dwelling and house to the north. This open space will result in the proposed dormers being noticeable when approaching the site. During negotiations with the agent, the agent requested one large dormer window however it was considered that this would be too visually damaging and that two smaller dormer windows would be more appropriate. The amended plans show the two dormer windows which will be finished in weatherboarding. This approach is considered to be more respectful of the existing character of the house and better inkeeping with the area.

The existing dwelling has been finished in render with the proposal intended to be finished in boarding. Whilst this is not consistent with the host dwelling Golf Green Road comprises of houses finished in a variety of materials with weatherboarding being a strong influence within the area. It is therefore considered the use of this material would be inkeeping with the character of the existing area.

Whilst the proposal will result in impact to the area the dwelling is set back on from the highway and will be consistent with other dwellings within the area therefore refraining from having a harmful impact to the appearance and character of the dwelling and area.

#### Flood Risk

The dwelling is located within National Flood Zone 3.

The proposal will result in bedrooms being removed from the ground floor and positioned within the roof at first floor level. The rooms on ground floor will be made large and retained as communal rooms. The size in terms of the footprint of the dwelling will not be altered. As a result of the nature of the development will be carried out at first floor level it would not result in additional harm to flood risk.

A flood risk assessment has been provided detailing how the proposal will mitigate flood risk.

#### Impact on Neighbours

The proposal will not result in a loss of light or outlook to the dwelling to the north of the site known as 84 Golf Green Road.

The introduction of two new dormer windows and one velux will result in overlooking to this neighbouring site. This neighbouring dwelling is currently overlooked by its neighbouring site and the properties to the rear. The windows proposed will serve two of the new proposed bedrooms with the velux serving a shower room. As these windows do not serve primary living areas and as the neighbouring dwelling is already overlooked it is considered the loss of privacy in this instance would not be so significant to refuse planning permission upon. A condition has been imposed upon the permission to request that the openings should contain obscure glazing to reduce the level of overlooking to this neighbour.

The neighbouring dwelling of 92 Golf Green Road has an existing side window which currently looks onto the host dwelling receiving minimal light and outlook at present. Whilst due to its increase in height the proposal will reduce this further as this opening already receives little light and outlook it would unreasonable to refuse planning permission on this grounds.

The overall footprint of the building is not changing and therefore the proposal would not result in a significant loss of light or outlook to this neighbour.

The proposal incorporates a window to the rear which will serve the bedroom and overlook into this neighbouring dwellings rear garden having an impact in terms of loss of privacy. This neighbouring dwelling is currently already overlooked and as the window will serve a bedroom it is considered the loss of privacy in this instance not so significant to refuse planning permission on.

#### Other considerations

Clacton is non parished and therefore no comments are required.

Two letters of objection have been received in relation to the proposal raising concerns over the blocking of the access by construction workers.

This is a civil matter which should be discussed with the applicant when carrying out the works.

#### 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: 158-004 Rev C and 158-003 Rev B and Flood Risk Assessment received on 22nd of October by Daking Designs Ltd.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the windows to the first floor rear and side elevations serving the bedrooms shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

## 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.