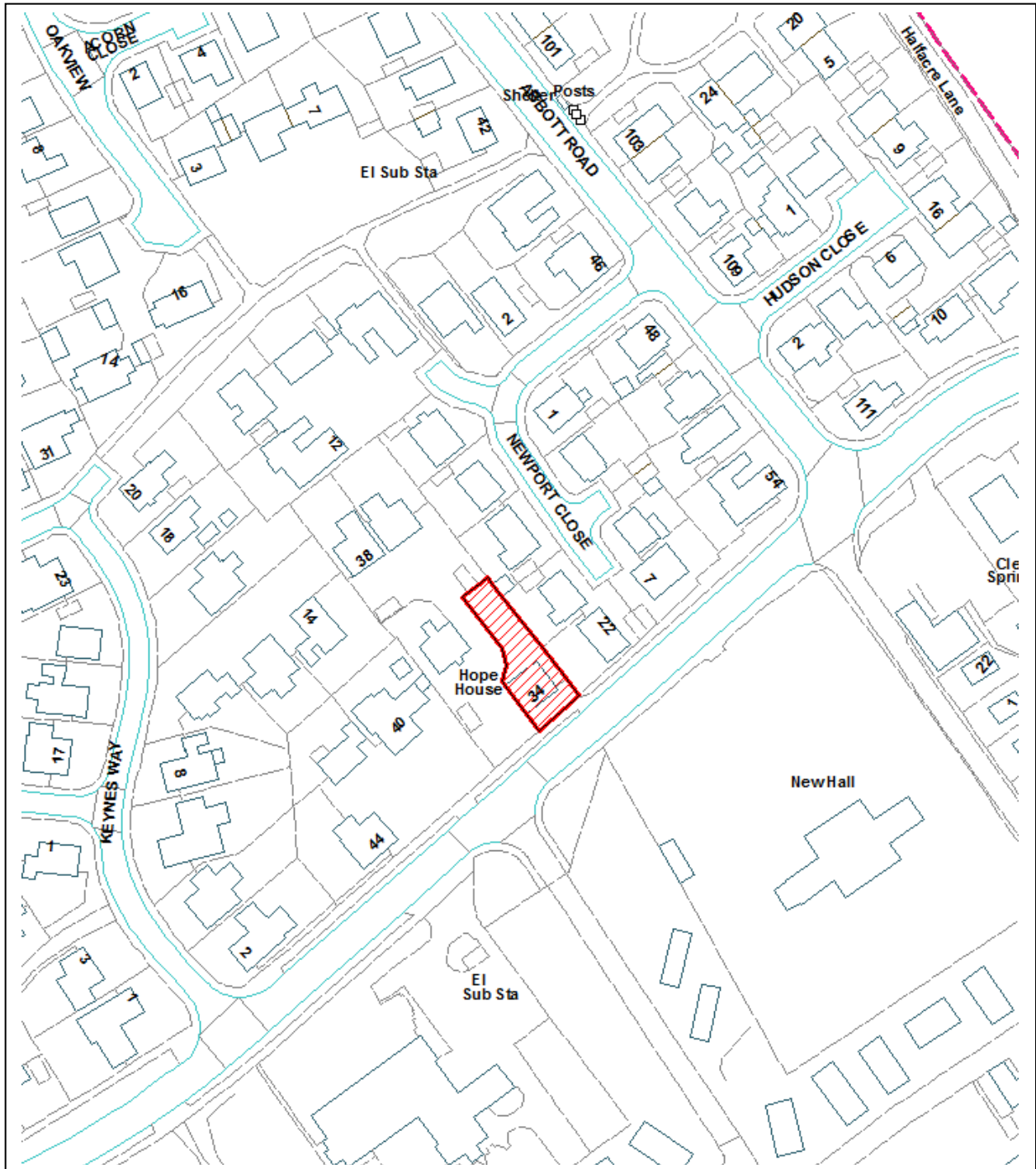


PLANNING COMMITTEE

13th November 2018

REPORT OF THE HEAD OF PLANNING

**A.9 PLANNING APPLICATION - 18/01693/FUL - 34 LOW ROAD DOVERCOURT
HARWICH CO12 3TS**



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Application:	18/01693/FUL	Town / Parish: Harwich Town Council
Applicant:	Mr & Mrs Ivan Henderson	
Address:	34 Low Road Dovercourt Harwich CO12 3TS	
Development:	Proposed single storey side extension.	

1. **Executive Summary**

- 1.1 The application has been referred to Planning Committee as the applicants are Cllr Ivan Henderson who is a County and District Councillor and Cllr Jo Henderson who is a District Councillor.
- 1.2 The application seeks permission for the erection of a single storey side extension 2.7m in width and 5.6m in height at 34 Low road Dovercourt which is sited within the development boundary of Harwich and Dovercourt.
- 1.3 The proposal will be sited to the side of 34 Low Road and will be of a design and size which is appropriate to the existing house refraining it from having a harmful impact to the local areas appearance and character.
- 1.4 The proposal will be noticeable to the neighbouring property to the north east known as "22 Newport Close," however will be sited sufficient distance away from this house. The loss of light and outlook resulting from the proposed development is not deemed so significant to justify refusing planning permission.

Recommendation: Approve

Conditions:

1. Time Limit
2. Approved Plans

2. **Planning Policy**

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

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

SPL3 Sustainable Design

Status of the Local Plan

- 2.1 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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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.
- 2.2 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.
- 2.3 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.

3. Relevant Planning History

05/01741/FUL	4 New Dwellings	Refused	06.12.2005
06/00530/FUL	2 New dwellings.	Refused	17.05.2006
07/01455/FUL	3 new dwellings with detached garages, new access drive and crossover (existing Hope House to be retained).	Approved	14.11.2007
18/01693/FUL	Proposed single storey side extension.	Current	

4. Consultations

None Required

5. Representations

- 5.1 Harwich Town Council have no objections to the proposal.
- 5.2 Two letters of objection have been received which can be summarised below:
- Loss of light due to height of proposal

- Loss of outlook due to height, close proximity and removal of hedge.
- Expanse of brickwork with no landscaping would appear as a “stark feature” and dominate outlook from 22 Newport Close.
- Contrary to Saved Policy HG14 of Tendring District Local Plan 2007.

6. **Assessment**

The main planning considerations are:

- Site context;
- History;
- Proposal;
- Design and Appearance;
- Impact to Neighbours; and,
- Highway Safety.

Site Context

- 6.1 The application site comprises of a south east facing detached chalet bungalow which is of a brick construction with two dormer windows sited to the front of the house. An access serving the properties to the rear is positioned between the host dwelling and its associated garage. The application house has a rear garden which shares boundaries with neighbouring dwellings in Newport Close and Low Road.
- 6.2 The site is located within the settlement boundary of Dovercourt within the Adopted Local Plan 2007 and Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Proposal

- 6.3 This application seeks planning permission for the erection of a single storey side extension 2.7m in width and 5.6m in height.

History

- 6.4 The application site is of a recent construction with planning permission for the erection of 3 new dwellings with detached garages, new access drive and crossover (existing Hope House to be retained), approved under planning permission 07/01455/FUL in 2007.

Design and Appearance

- 6.5 The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).
- 6.6 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.

- 6.7 The proposal will be sited to the side and therefore a noticeable feature when viewing the property from Low Road.
- 6.8 The proposed extension will be set back from the front wall of the dwelling by 0.45m and from the front of the site by 5m which reduce its prominence within the streetscene.
- 6.9 The proposed extension will be 0.2m lower in height than the host dwelling and will continue the same eaves height as the house to ensure its consistency with the host dwelling. The enlargement will be constructed from materials which match the host dwelling and will incorporate similar design elements such as same roof type and matching openings to ensure its consistency with the main dwelling.
- 6.10 The neighbouring dwelling of 22 Newport Close sited to the north east is orientated away from the dwelling with its rear garden boundary being shared with the application site. The neighbouring dwelling is positioned 9m away from its rear boundary resulting in a large open space being formed between the two properties. Whilst the proposal is contrary to Saved Policy HG14 as a result of the neighbour's house being sited away from the boundary and the proposals narrow width it is considered that suitable open space would be retained between the two properties preventing the new extension from appearing cramped within the streetscene.

Impact on Neighbours

- 6.11 The NPPF, at paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).
- 6.12 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 ensure that new development is appropriate in its setting and does not create a cramped appearance. As a guideline a minimum distance of 1 metre will be sought. Where circumstances warrant it, a greater distance will be sought.
- 6.13 The proposal will not result in a loss of residential amenities to the neighbouring dwellings to the South West or North West of the site as it will be sited sufficient distance away from these houses and screened by the host dwelling.
- 6.14 The application site shares a boundary with 22 Newport Close sited to the east of the site. Currently situated along this boundary is an existing hedge and fencing. The hedge has not been shown on the submitted plans and it is presumed that this will be removed to accommodate the proposal.
- 6.15 The proposal will be sited within 1m to the 22 Newport Close rear boundary appearing as a noticeable feature to this neighbour.
- 6.16 The occupants of 22 Newport Close have provided comments objecting to the scheme stating that the proposal will be of the same height as the existing house resulting in a significant reduction of light and outlook.
- 6.17 The plans show that the proposal will be 0.2m lower in height compared to the host dwelling matching the design of the existing house.

- 6.18 This neighbouring dwelling at 22 Newport Close is sited 9m from its rear boundary with the application site. This neighbour currently has views onto the existing dwellings side elevation, over the existing boundary treatment meaning that the occupants outlook and light is already reduced.
- 6.19 Due to the neighbours position on its plot as well as the proposed extensions reduction in height and similar design to the host dwelling the loss of light and outlook resulting from the proposal would not be so significant to justify refusing planning permission.
- 6.20 The plans show that there are no windows proposed along this side elevation and therefore the proposal would not result in a loss of privacy to this neighbour.

Highway Safety

- 6.21 The application dwelling has an existing garage positioned to the other side of the existing access which serves the houses to the rear. The proposal is to the side of the house away from this garage and would not infringe upon any existing parking arrangements at the site.

Conclusion

- 6.22 In conclusion as the proposal represents no visual harm or significant loss of residential amenities to neighbouring properties it is recommended for approval.

Background Papers

None.