

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	29/11/2018
Planning Development Manager authorisation:	SCE	03.12.18
Admin checks / despatch completed	SB	03/12/18

**Application:** 18/01700/FUL **Town / Parish:** Harwich Town Council

**Applicant:** Mrs Tina Brunning

**Address:** 15 Chaffinch Drive Dovercourt Harwich

**Development:** Single storey rear extension.

### 1. Town / Parish Council

Harwich Town Council Harwich Town Council has no objection to this application.

### 2. Consultation Responses

N/A

### 3. Planning History

99/01262/FUL	Phase II residential development. Plots 29-90, 93-95, 98-124, 142-145, 148-213	Approved	25.05.2000
16/01304/FUL	Change of use from garage to habitable room.	Approved	27.10.2016
18/01700/FUL	Single storey rear extension.	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  
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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 west of Chaffinch Drive, inside the development boundary of Harwich. It serves a detached two storey dwelling constructed of brick with a tile roof. It is set back from the road with an area of open space obscuring views of the property from the road. It has a shared access with the adjacent properties. Parking is located in front of the property. The rear of the site is laid to lawn with a patio adjacent to the dwelling and close boarded fencing on all boundaries.

### **Proposal**

The application proposes a single storey rear extension. It measures 3.5m deep by 8.27m wide with a flat roof that is 3m in height. Materials will match those used on the existing dwelling.

### **Representations**

Harwich Town Council has no objection to this application.

One letter of objection has been received raising the following concerns:

- House is big enough already (see officer report).
- Will devalue neighbours property (not a material planning consideration).
- Extension will reduce size of garden moving activity closer to rear boundary affecting peace and quiet of neighbour (see officer report).

### **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.

### **Design**

The proposed rear extension is considered to be of a scale and nature appropriate to the site and the surrounding area. The extension will extend the existing dining room and kitchen area and create a shower room. It is considered to be a modest single storey addition that will blend acceptably with the host dwelling due to the use of matching materials. The extension will not be visible from the road and will have no impact on the street scene. It is a subservient addition that will not appear cramped within the plot and does not represent over development of the site.

It is noted that 3 no. bedsitter rooms are illustrated on the proposed floor plan. The proposed floor plan shows 'bed sitter 3' being created to replace the study shown on the existing floor plan. Whilst this appears to be as a result on the proposed extension, this bed sitter room could have been created without the extension taking place. It is noted that the bed sitter rooms would require a separate planning application for a change of use. The applicants have been notified of this separately and an informative is included on the decision notice confirming that planning permission is granted for the rear extension only. No permission is granted for the bed sit rooms or any change of use.

### Impact on Residential Amenity

The proposed extension will be located 1m from the neighbouring boundary to the west and 5.6m from the side boundary to the east. No windows are proposed in the west side elevation of the extension closest to the boundary and views from all other proposed windows into neighbouring property will be obscured by the existing boundary treatment. Due to this and the single storey nature of development the proposed extension is not considered to cause a significant adverse impact on the daylight or privacy currently enjoyed by neighbouring property.

Concern was raised over the loss of peace and quiet to a neighbouring property to the rear of the site in Bullfinch Close. The development will be located at least 7m from the rear boundary. The rear boundary of the application site adjoins the rear boundary of neighbours in Bullfinch Close. Whilst the development will reduce the amount of private amenity space enjoyed by the occupiers of the dwelling, the level of garden space lost is not significant enough to be considered to diminish the amenities and enjoyment of other neighbouring properties.

The proposed rear extension will reduce the private amenity space currently available to the occupiers of the property but the garden still exceeds the requirements of Policy HG9 which requires for houses of 3 bedrooms or more that a minimum of 100 square metres of private amenity space is provided. The proposed development is considered acceptable in terms of residential amenity and impact upon neighbours.

### 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 No. 1803.1/0A, Drawing No. 1803.1/12 and Drawing No. 1803.1/15.

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.

### Informative

This planning permission is for the single storey rear extension ONLY. No permission is granted for the 3 no. bed sitter rooms illustrated on the proposed floor plan. A separate planning application for change of use will be required to obtain permission for the bed sit rooms.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>		NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>		NO