

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	04/12/2018
Planning Development Manager authorisation:	SCE	04.12.18
Admin checks / despatch completed	AP	5/12/18

ER

Application: 18/01758/FUL **Town / Parish:** Ramsey & Parkeston Parish Council

Applicant: Mr and Mrs Tony Duong Long Van

Address: 9 Burr Close Ramsey Harwich

Development: Two storey rear extension with roof alteration, and garage conversion.

1. Town / Parish Council

Ramsey and Parkeston Parish Council No Comments Received

2. Consultation Responses

Not applicable

3. Planning History

18/01758/FUL Two storey rear extension with roof alteration, and garage conversion. 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

Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice
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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Proposal

This application seeks permission for the erection of a two storey rear extension and garage conversion to a detached dwelling located within the development boundary of Ramsey and Parkeston.

Assessment

Design and Appearance

The application dwelling is set back off of Burr Close with a shared access to the east.

As a result of the screening by way of the existing dwelling the proposed rear extension would not be publicly visible from Burr Close.

There is a shared access to the east of the dwelling which serves a small number of properties to the side and rear. The proposed extension will be publicly visible to the users of this access however will be set a minimum of 1.5m from the side boundary which would prevent the proposal from appearing as a significantly harmful feature when viewing the house from the access.

The proposed alterations to the garage will be publicly visible and are of an appropriate size and design which relate well to the existing dwelling preventing it from having a harmful impact to the appearance and character of the dwelling and area.

The size of the proposal is appropriate to the existing dwelling and the materials used in construction will match those already on the existing dwelling.

The site is of a sufficient size to accommodate a proposal of this size and still retain sufficient private amenity space.

Highway Safety

The proposal also includes a conversion of the existing garage. Whilst such an alteration would not normally require planning permission condition 04 of planning permission 84/01161/FUL removed permitted development rights for such an alteration without permission first have being sought. The reasoning behind this condition was to ensure that adequate parking facilities are retained at the site.

Whilst the proposal will result in the loss of parking there is sufficient space for the parking of two vehicles in line with the Essex County Council Parking Standards to the front of the site.

The proposal would therefore not result in a harmful impact in terms of highway safety.

Impact on Neighbours

Located to the south of the site are dwellings which front elevations will look onto the proposed extension. The proposed extension will be visible from their front openings however as it will be sited a sufficient distance away from these dwellings would not result in a significant loss of residential amenities to these neighbours.

As the proposal will result in a loss of light to 11 Burr Close sited to the north the sunlight/ daylight calculations have been applied. The 45 degree line in plan would only just intercept the neighbouring dwelling and in elevation would strike through this neighbour's rear conservatory it is therefore considered that the loss of light is not so significant to refuse planning permission upon.

The proposal will result in a loss of outlook to this neighbour also however it will be sited 2.5m from 11 Burr close and partially screened by the existing boundary fence. It is therefore considered that the loss of outlook in this instance is not so significant to refuse planning permission upon.

The host dwelling comprises of three upper floor bedrooms which have rear openings along the rear elevations these have clear views into this neighbour's rear garden and immediate private amenity space. As a result of the extension protruding past this dwelling these windows, which will be placed at first floor, will still serve the same three bedrooms and will have views of the rear of this neighbour's garden. As the dwelling already has windows which overlook the neighbour's garden it is considered that the impact on privacy to this neighbour would not be significant enough to refuse planning permission upon.

The alterations to the garage will not result in an impact to the neighbouring properties.

Other Considerations

Ramsey and Parkeston parish council have not commented on the application.
No further letters of representation have been received.

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: 1809.1/0, 1809.1/3C, 1809.1/4 and 1809.1/5B.

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.