

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	17/12/2018
Planning Development Manager authorisation:	SCE	17.12.18
Admin checks / despatch completed	Jaw	16/12/18

*ER*

**Application:** 18/01783/FUL **Town / Parish:** Great Oakley Parish Council

**Applicant:** Mr Paul Fitch

**Address:** 22 Sparrows Corner Great Oakley Harwich

**Development:** Proposed demolition of existing conservatory & construction of new single storey rear extension. (Revised application to approved scheme 18/01175/FUL)

### 1. Town / Parish Council

Great Oakley Parish Council      Great Oakley Parish Council have no objections to make regarding this application.

### 2. Consultation Responses

Not Applicable

### 3. Planning History

18/01175/FUL      Proposed demolition of existing conservatory & construction of new single storey rear extension.      Approved      30.08.2018

18/01783/FUL      Proposed demolition of existing conservatory & construction of new single storey rear extension. (Revised application to approved scheme 18/01175/FUL)      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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Application Site

The application site comprises of a south facing two storey semidetached dwelling known as "22 Sparrows Corner." The existing dwelling has an existing conservatory and extension to the rear with a rear facing dormer at first floor level. Sited in the rear garden is an existing outbuilding with fencing positioned along each neighbouring boundary.

### Proposal

This application seeks the erection of a single storey rear extension following the demolition of the existing conservatory.

### Background

This application is a resubmission of an earlier approved scheme under planning permission 18/01175/FUL. The plans now show the replacement of the flat roof to the existing rear extension with a new lean to roof and alterations to the rear first floor window to incorporate a new higher eil level.

### Assessment

#### Design and Appearance

The immediate vicinity comprises of two storey semi-detached dwellings with many having rear conservatories or extension varying in design and materials.

The proposal will be sited to the rear and therefore not publicly visible.

The proposed extension is of a size and design which is appropriate to the existing house and will be constructed from materials which match the existing dwelling.

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

### Impact on Neighbours

The proposal would not result in a loss of neighbouring amenities to 23 Sparrows Corner sited to the west as it will be sited sufficient distance front the boundary and screened by the existing outbuilding and fencing.

Sited to the east is 21 Sparrows Corner which adjoins the host dwelling and has four openings along its rear elevation. These windows comprise of a secondary lounge window (also served by a window on the front elevation) and kitchen door and windows.

The proposal will not result in a loss of privacy to this neighbour as it is of a single storey design with no new openings proposed along this side elevation.

The proposal will be sited along the boundary and would therefore result in a loss of light and outlook to this neighbour.

As the proposal will result in a loss of light the Essex Design Guide Sunlight/Daylight calculations have been applied to the proposal to ascertain the level of light lost. The 45 degree line in plan would encompass this neighbours living room window however in elevation would only strike through the lower section of it. It is therefore considered that the loss of light in this instance is not so significant to justify refusing planning permission.

Whilst the proposal will result in loss of outlook from this neighbour living room window this room is also served by a larger window positioned along its front elevation. The proposal will also be partially screened by the existing boundary fencing which could be increased to 2m in height under permitted development. The roof design of the proposal will mean that the height will decrease from 4m to 2.5m reducing its impact to the neighbour. It is therefore considered that loss of outlook in this instance is not so significant to justify refusing planning permission.

### Other Considerations

Great Oakley Parish Council have no objections to the proposal.  
No 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: Drawing No 135-5C.

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.