

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	19/12/2018
Planning Development Manager authorisation:	SCE	19.12.18
Admin checks / despatch completed	<del>WNE</del>	19/12/18

**Application:** 18/01805/FUL **Town / Parish:** Thorrington Parish Council

**Applicant:** Mr Paul Borstel

**Address:** The Lodge Church Road Thorrington

**Development:** Proposed two storey rear extension. Carport to front of property.

### **1. Town / Parish Council**

Thorrington Parish  
Council

No comments received regarding this application

### **2. Consultation Responses**

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority.

Although the proposal alters the existing parking arrangements, the applicant retains adequate off street parking in the new car port and the existing driveway, therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following condition:

1. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

The above condition is to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative:

' All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

' The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO1 ' Essex Highways  
Colchester Highways Depot  
653 The Crescent  
Colchester  
CO4 9YQ

pp Director for Highways & Transportation  
Enquiries to Caroline Tracey  
Telephone: 03330 130119  
Email: caroline.tracey@essex.gov.uk

### **3. Planning History**

18/01805/FUL	Proposed two storey rear extension. Carport to front of property.	Current
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### **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  
TR1A Development Affecting Highways  
TR7 Vehicle Parking at New Development  
HG9 Private Amenity Space

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)**

### Application Site

The application site comprises of a west facing detached dwelling with large open frontage and planting along the front and side boundaries. The existing house has an adjacent garage with a conservatory to the rear. The site is located within the development boundary.

### Proposal

This application seeks permission for the;

- Erection of a two storey rear extension; and
- Erection of front car port.

### Assessment

#### Design and Appearance

##### *Extension*

The proposed extension to the dwelling will be sited to the rear however as a result of spacing between houses will be publicly visible. The siting to the rear of the dwelling will mean that it is positioned back on its plot preventing it from appearing prominent within the streetscene.

The extension is of a size which is appropriate to the dwelling and as a result of the size of the plot sufficient private amenity space will be retained at the site upon completion of the proposal.

The overall design of the extension and use of cladding is not inkeeping with the existing dwelling however as the proposal will be sited to the rear and be well screened by the host dwelling and boundary planting this would not result in such a detrimental harmful impact to the overall appearance and character of the dwelling and area. Although the extension will appear as a different feature to the main house it will be clearly identifiable as an addition to the application dwelling giving it a modern appearance.

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

##### *Car Port*

The proposed car port will be sited forward of the existing dwelling. Whilst positioned forward of the dwelling it will be predominantly screened by existing boundary trees in situ along the front and side boundaries of the site. A break in the planting provides access for vehicles to move onto the site and as a result of its positioning the proposed car port will only be visible when doing so. This area of Church Road is characterised by a number of large dwelling set back on their plots with many having either front garages or car port structures many of which are predominantly screened by trees in situ along their front boundaries.

The car port will be finished in timber which is not consistent with the host dwelling however as a result of ample screening by way of boundary planting the use of this material would not be visible until accessing the site and would therefore not appear harmfully within the streetscene.

As a result of similar development within the area and due to limited views of the proposed car port due to ample screening offered by way of existing planting situated to the front and side boundaries it is considered that the proposed car port would not result in a harmful impact to the appearance and character of the existing dwelling and area. A condition has been imposed upon the permission to retain the existing planting at the site and shown on the provided plans to safeguard the visual amenity of the area.

### Highway Safety

Essex County Council Highways have been consulted as part of the application and have provided no objections to the proposal and have requested that a condition be imposed upon the permission to ensure that building material are stored clear of the highway.

Whilst part of the proposal will be constructed upon land currently used for parking the site has a large frontage which is of a large enough size to accommodate the parking of two vehicles in line with the Essex County Council Parking Standards and would not result in a harmful impact to highway safety.

### Impact to Neighbours

The proposed front car port will be sited to the front of the dwelling and as a result of ample screening by way of existing planting the would not result in a significant loss of residential amenities to the neighbouring amenities. A condition has been imposed upon this permission to retain the planting to further safeguard the residential amenities of these neighbours.

The proposed extension will not result in a significant loss of neighbouring amenities to "Maltkings" situated to the south east of the site as it will be sited sufficient distance away from this neighbouring dwelling and amply screened by existing boundary planting.

The proposal will result in a loss of light to the neighbour to the north west of the site "Juniper" and therefore the Sunlight/ Daylight calculations specified within the Essex Design Guide have been applied. The 45 degree line in plan would fully encompass this neighbours rear living room window however in elevation would not intercept this neighbour at all. The loss of light is therefore not so significant to refuse planning permission upon.

The proposal will be well screened by the host dwelling by existing boundary planting however should this be removed it would be visible from this neighbours rear window which serves the existing living room. This neighbours living room is also served by another opening along its front elevation. The proposed extension will also be sited a minimum of 4m from this neighbouring boundary. It is therefore considered that the potential loss of outlook resulting from the proposal would not be so significant to refuse planning permission upon.

The proposal includes four new windows at first floor level to the rear elevation of the extension which will serve en suites and bathrooms. The existing rear elevation currently has two windows serving an en suite and a bathroom at first floor level. As there are existing windows already in situ at first floor in the rear elevation and as the rooms served are en suites and bathrooms it is considered that there would not be significant increase to overlooking resulting from the proposed extension.

A new side window at ground floor is proposed which will serve the new gymnasium. The height of this window will reach 2.2m and will be screened by existing planting which would prevent a loss of privacy to "Juniper." In the event that the planting is removed then a 2m high fence could be erected under permitted development which would also screen the window and reduce any loss of privacy resulting from this window. It is therefore considered that the loss of privacy in this instance is not so significant to refuse planning permission upon.

### Other Considerations

Thorrington Parish Council have not commented on the application.  
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: 2018-0601-003 P1 and 2018-0601-002 P1.

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

- 3 The reception and storage of building materials shall be kept clear of the highway within the curtilage of the site.

Reason - To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.

- 4 The proposed planting shown to the front of the site on drawing number 2018-0601-003 P1 shall be retained at the site in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason - To reduce the level of impact of the proposal in terms of visual and residential amenities.

## **8. Informatives**

Highways Informative:

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

' The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO1 ' Essex Highways  
Colchester Highways Depot  
653 The Crescent  
Colchester  
CO4 9YQ

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.