

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	07/01/19
Planning Development Manager authorisation:	AN	14/1/19
Admin checks / despatch completed	AP	16/1/19

WAL

Application: 18/01741/FUL **Town / Parish:** Harwich Town Council

Applicant: Dovercourt Refurbishment Ltd

Address: 28 - 29 Marine Parade Dovercourt Harwich

Development: Variation of Condition 2 of 17/02210/FUL to replace drawings 2691:206A, 2691:207, 2691:209A, 2691:107A AND 2691:106A with drawing number 197:50, for the addition of dormers.

1. Town / Parish Council

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

2. Consultation Responses

Tree & Landscape Officer No comments.

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

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority as it is not contrary to the following Development Management policies:

- A) Safety: Policy DM 1 of the Highway Authority's Development Management Policies February 2011
- B) Accessibility: Policy DM 9 of the Highway Authority's Development Management Policies February 2011
- C) Efficiency/Capacity: Policy DM 1 of the Highway Authority's Development Management Policies February 2011
- D) Road Hierarchy: Policy DM 2-4 of the Highway Authority's Development Management Policies February 2011
- E) Parking Standards: Policy DM 8 of the Highway Authority's Development Management Policies February

pp Director for Highways & Transportation
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Waste Management No comments

3. Planning History

01/00392/OUT	Extension to existing hotel for further facilities	Approved	20.06.2001
02/01680/FUL	Placing of sculpture "Transmitter Man" - A Work by Jonathan Clark.	Approved	08.10.2002

03/02086/FUL	Extension to rear of premises, at ground, first and second floors to provide 12 additional bedrooms; internal swimming pool and attendant facilities; 6 no. car parking spaces. Dining room to be extended on front elevation. Premises to be used as a hotel - as existing	Approved	28.01.2004
17/30270/PREAPP	Change of use from C1 (hotel) to C3 (residential) to create 8 no. self-contained apartments, with associated parking and private amenity space.		13.11.2017
17/02210/FUL	Proposed conversion and extension of former Hotel [Use-Class C1] to create 10 self-contained dwelling units [Use-Class C3] comprising 9 self-contained apartments and 1 attached house, with associated alterations and ancillary works including provision of landscaping, parking, private amenity space, cycle and bin storage.	Approved	21.05.2018

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

ER3 Protection of Employment Land

ER24 Protection of Hotels and Guest Houses

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG10 Conversion to Flats and Bedsits

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)

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

SP1 Presumption in Favour of Sustainable Development

SP2 Spatial Strategy for North Essex

SP6 Place Shaping Principles

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

PP9 Hotels and Guesthouses

CP1 Sustainable Transport and Accessibility

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.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing delivered over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line with the plan-led approach.

5. Officer Appraisal

Site Description

The application site is 28-29 Marine Parade, which lies within the parish of Dovercourt. The application site is a former hotel, which under planning permission 17/02210/FUL was granted approval to convert into residential use. The surrounding area is characterised by urban built form, with a number of residential and hotel uses in close proximity. The building is a three-storey structure within a terrace of similar properties facing the sea, and it is of painted render appearance with a slate roof and has elegant architectural detailing.

The main heart of the Dovercourt Town Centre lies approximately 400m to the north-east. The site falls within the Settlement Development Boundary for Dovercourt, as agreed in both the Adopted Tendring Local Plan 2007 and the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft, but falls outside of the defined Dovercourt Town Centre and the Protection area for Hotels and Guest-houses.

History

Under planning reference 03/02086/FUL permission was granted for a substantial rear extension at ground, first and second floors to provide 12 additional bedrooms; internal swimming pool and dining room. This has been part-implemented by the construction of an octagonal forward-facing dining room extension, although the substantial rear extensions that were approved on the same application have not been constructed.

Under planning reference 17/02210/FUL, permission was granted to convert the hotel to 10 residential units, with 9 flats and a single house (attached at the rear), and the addition of a 3 and 2-storey extension at the rear of similar proportions to the extant permission.

Description of Proposal

This application seeks to vary Condition 2 (approved plans) of planning permission 17/02210/FUL. The only difference to that previously approved is for the addition of two dormers, both to the rear elevation.

Assessment

1. Visual Impact

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).

The additional two dormers are to be located to the rear elevation; however will still be visible due to the prominence of the building within the immediate locale. The dormers however are to incorporate a pitched roof design with in-keeping materials that will help to ensure they will assimilate well within the immediate surroundings. Therefore, whilst there are no other similar examples in the surrounding area, there is not considered to be any significant visual harm.

2. Impact to Neighbouring Amenities

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).

The proposed amendment will not result in any additional residential accommodation, but will result in two new windows with the potential to directly overlook neighbouring amenity areas. In terms of the impact to Number 1 Lee Road, there is an approximate separation distance of 15m, with existing mature vegetation and fencing limiting most views. Therefore the harm is not considered significant enough to warrant a reason for refusal. This is similarly the case for a number of properties running along Lee Road to the north-west.

In terms of the impact to the adjacent property to the west (Number 30 Marine Parade), the property is more closely related. The additional dormers will result in an increase in overlooking potential, with the feeling of overlooking more prevalent also. However, it is considered that due to the terraced and closely related nature of the adjoining properties along this section of Marine Parade, there is a significant loss of amenity in Number 30's rear garden area currently, and therefore the proposed dormers will not significantly add to this. Further, it is noted that under extant permission 03/02086/FUL there were second floor windows that directly overlooked and this proposal is not considered to be a significant increase to this. Therefore, on balance, the harm identified is not considered sufficient to refuse this application.

Other Considerations

Harwich Town Council has no objection to this application.

There are no other letters of representation received.

6. **Recommendation**

Approval.

7. **Conditions**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of planning permission 17/02210/FUL (21 May 2021).

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: -

Planning reference 18/01741/FUL:

Drawing number - 197-50 - Proposed Plans & Elevations

Planning Reference 17/02210/FUL:

Drawing number - 2691_050 - Location Plan;

Drawing number - 2691_100 - Existing Ground Floor Plan and proposed demolition;

Drawing number - 2691_101 - Existing First Floor Plan and proposed demolition;

Drawing number - 2691_102 - Existing Second Floor Plan and proposed demolition;

Drawing number - 2691_103 - Existing Attic Plan and proposed demolition;

Drawing number - 2691_104A - Ground Floor Plan as Proposed;

Drawing number - 2691_105A - First Floor Plan as Proposed;

Drawing number - 2691_108A - Roof Plan as Proposed;

Drawing number - 2691_109 - Plans and Elevations of Proposed Cycle and Recycling Stores;

Drawing number - 2691_204A - Front Elevation to Marine Parade as Proposed;

Drawing number - 2691_205A - Front Elevation to Marine Parade as Proposed with Boundary Treatment;

Drawing number - 2691_208 - Elevation to Rear as Proposed with Stores Shown;

Drawing Number - Comparison of Proposed Elevations and Approved Hotel Extension comprising -

Fig i Proposed elevation to Marine Parade showing outline of consented hotel extension scheme (red line)

Fig ii Proposed elevation to Lee Road showing outline of consented hotel extension scheme (red line)

Fig iii Proposed elevation to rear showing outline of consented hotel extension scheme (red line)

Fig iv Proposed elevation to neighbouring property showing outline of consented hotel extension scheme (red line)

Fig iv Proposed ground floor showing outline of consented hotel extension scheme (footprint for floors G, 1 and 2)

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

- 3 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason - To avoid displacement of loose material onto the highway in the interests of highway safety.

- 4 There shall be no discharge of surface water onto the highway.

Reason - To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

- 5 The 4 vehicular parking spaces, as shown on the submitted drawings within planning reference 17/02210/FUL, shall be provided prior to the occupation of the dwelling/flats hereby approved.

Reason - To ensure adequate space for parking off the highway is provided in the interest of highway safety.

- 6 The cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the development and retained at all times.

Reason - To ensure appropriate bicycle parking is provided.

- 7 Before development starts, precise specifications (including the manufacturer, range and colour details where applicable) or samples of the walling and roofing materials to be used, shall be made available on site for inspection, and subsequent written approval, by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason - In the interests of the appearance of the area.

- 8 Before development starts, the following shall be submitted to and approved in writing by the Local Planning Authority:

- a) a scheme of landscaping, which shall include the treatment for the site boundaries and hard-surfaces;
- b) the details of any trees and hedgerows to be retained, together with measures for their protection during development;
- c) a schedule of proposed plant species, size and density and planting locations; and
- d) an implementation programme.

All planting, seeding or turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason - In the interest of the appearance of the area.

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.