

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	28/01/2019
Planning Development Manager authorisation:	SCE	31.01.19
Admin checks / despatch completed	er	31/1/19

Application: 18/01732/FUL **Town / Parish:** Weeley Parish Council

Applicant: Mr J Cook and Miss R Swinscoe

Address: The Dene Thorpe Road Weeley

Development: Single and two storey extensions and front boundary wall.

1. Town / Parish Council

Mrs Nicola Baker Weeley Parish Council has no comment to make on 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. The proposal retains adequate off street parking and includes a replacement front boundary wall and inward opening gates, therefore:

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

1. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1.

2. 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 conditions are 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:

Comments have been made on planning drawing 1857-02 Rev A, the vehicle parking arrangements, pedestrian visibility splay and inward opening gates are acceptable as shown on this drawing.

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 or by post to:

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

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

3. Planning History

18/01732/FUL	Single and two storey extensions and front boundary wall.	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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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

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 detached dwelling located outside of the development boundary. The site has a large garden to the rear and a spacious frontage currently used for parking with planting sited along its front boundary. The dwelling is set back on its plot with a two storey dwelling sited to its west and a single storey sited to its east beyond existing boundary planting.

Whilst there is currently a single storey dwelling sited to the east a previous application has been assessed and approved to allow the redevelopment of the adjacent house into a two storey dwelling along with the construction of two new properties. The details of such are; application number 17/000843/FUL - Proposed development of 3 detached dwellings (2 as previously approved under application 16/01245/OUT and the replacement of Wolver). This adjacent development is currently under construction.

Proposal

This application seeks permission for single and two storey extensions at the site to allow the existing single storey dwelling to become a two storey house. The proposal also incorporates a new front boundary wall.

Since receipt of the initial plans negotiations have taken place to amend the design of the proposal to reduce its impact within the streetscene and the countryside and since then amended plans have been received.

Assessment

Design and Appearance

As a result of its scale and design the proposal will be a noticeable change to the site and will be publicly visible.

The dwelling is sited between an existing two storey dwelling and single storey dwelling which is to be further developed in accordance with approved planning application 17/00843/FUL. As the host dwelling will be sited between two storey dwellings the overall scale of development resulting in a two storey design of the host dwelling would not appear out of keeping with its neighbouring sites.

The alterations will result in a different character being set for the existing dwelling with the varying eaves heights creating a visual interest feature to the house allowing it to form a new character.

The extensions will be finished in a light grey render at ground floor and blue hardi plank cladding at first floor. The colours specified are also similar in appearance to the western dwelling. Whilst render and brick are the predominant materials used within the area, some of the dwellings comprise of extensions which have been finished in boarding and therefore the use of this material would not have a damaging impact to the character of the local area.

The amended plans show that the proposal will also incorporate a hipped roof design which will allow it to be better inkeeping with the dwelling to the west.

The house is set back from the front of the site by 7.5m and will be partially screened by the new 1.9m high boundary wall which is also to be erected. The plot is also sufficient in size to accommodate this proposal and still retain sufficient space between the dwelling and its neighbours refraining it from appearing as overdevelopment of the house or having a harmful impact to the appearance of the countryside.

The front boundary wall will be positioned 1.4m back from the front boundary of the site. Whilst this will be a noticeable addition to the site the neighbouring sites also comprise of boundary fencing or planting positioned along the front boundaries and therefore the introduction of a wall would not appear adversely within the streetscene. The plans provided show that planting will be situated to the front of this wall which would reduce its prominence further.

Highway Safety

Sufficient parking in line with the requirements of the Essex county Council Parking Standards will be retained at the site.

Essex County Council Highways have been consulted on the application and have no objection to the scheme subject to conditions being imposed upon the permission regarding positioning of boundary planting and the storage of building materials being clear of the highway.

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

Impact to Neighbours

The neighbouring site to the west has an existing window and door to the front which acts as an alternative entrance for the property. This currently receives little light and outlook as it is situated immediately adjacent to the boundary hedging. This adjacent dwelling also has three windows sited along its side elevation at first floor serving bathrooms which are obscure glazed. As these openings already receive restricted light and outlook it is considered that the loss of light and outlook received from the proposal would not be so significant to refuse planning permission upon. It is also noted that the amended design of the proposal incorporates a hipped roof to further reduce the light and outlook which is lost to this neighbour.

The proposal includes new openings at first floor level to the rear and to the side. The side first floor windows will serve bathrooms meaning that they are likely to be obscure glazed reducing any direct views into the neighbouring properties, a condition has been imposed upon the permission to ensure obscured glazing is used. The openings to the rear will serve new bedrooms. As these adjacent gardens are already overlooked by next door properties it is considered the level of privacy lost is not so significant to refuse planning permission upon.

The proposal will be sited 1.9m from its eastern boundary shared with "Wolvers." This neighbouring dwelling is positioned 2.7m from the application sites boundary and is due to be redeveloped into a two storey house. The plans approved under 17/00843/FUL show that the new side elevation of this dwelling would have no windows. It is therefore considered that the proposal would not result in a significant loss of residential amenities to this neighbour or its future redevelopment.

Other considerations

Weeley Parish Council have no objections to the proposal. 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: Drawing No 1857-02 Revision C.

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

- 3 Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason - To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety.

- 4 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.

5. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the windows to the first floor side elevation serving the bathroom and ensuite shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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.

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