

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	SB	04/02/19

Application: 18/02031/FUL **Town / Parish:** Harwich Town Council

Applicant: Mr & Mrs R Jennings

Address: 21 Fronks Avenue Dovercourt Harwich

Development: Proposed single storey rear extension.

1. Town / Parish Council

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

2. Consultation Responses

Tree & Landscape Officer No trees or other significant vegetation will be affected by the development proposal.

There appears to be little scope or need for new planting to be secured in terms of the development proposal.

3. Planning History

11/00792/FUL	Side and rear extension. Rear conservatory including demolition of existing garage and workshop. Block paving to front garden and driveway with widened entrance.	Approved	06.09.2011
18/02031/FUL	Proposed single storey rear extension.	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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies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)

Proposal

This application seeks planning permission for the erection of a single storey rear extension to a detached dwelling within the development boundary.

Assessment

Design and Appearance

The proposal will not be publicly visible as it will be sited to the rear and would therefore not have an impact to the appearance of the dwelling or streetscene.

The proposal will be of a size and design which is appropriate to the host dwelling and will be constructed from materials which match the existing dwelling. The design will be the existing extension approved under planning reference 11/00792/FUL.

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

Impact on Neighbours

The proposal will not be visible to the neighbour to the south east as it will be screened by the existing extension.

The proposal will be visible to the neighbour to the north west known as 19 Fronks Avenue which has an existing rear window serving a family room. This room is also served by another window to the front and currently has views of the boundary fencing. The proposal will be visible to this neighbour resulting in an impact to its residential amenities.

The Sunlight/ Daylight calculations from the Essex Design Guide have been applied and the 45 degree line in plan would encompass this rear opening however in elevation would only intercept the lower section of this window. The loss of light in this instance is therefore not so significant to refuse planning permission upon.

Whilst the proposal will be visible to this neighbour it will be partially screened by the existing fence which could be increased to 2m in height under PD which would screen it further. It is also noted that the window affected is not the sole window for the family room. Therefore the loss of outlook in this instance is not so significant to refuse planning permission upon.

The proposal includes a new window which will face onto this neighbours garden. As this window will be screened by the existing boundary treatment and serve the kitchen the level of privacy lost would be minimal is not so significant to refuse planning permission upon.

Other Considerations

Harwich Town Council have no objection to the application.

No further representations have been received in relation to the application.

Conclusion

In the absence of material harm resulting from the proposal 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: 1811.1/2B.

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.