

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	20/03/2019
Planning Development Manager authorisation:	SCE	20.03.19
Admin checks / despatch completed	<del>SB</del> SB	22/03/19 22/03/19

**Application:** 19/00161/FUL **Town / Parish:** Harwich Town Council

**Applicant:** MR D Erdbeer

**Address:** 20 Warham Road Dovercourt Harwich

**Development:** Proposed loft conversion with 4no. velux rooflights.

### 1. Town / Parish Council

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

### 2. Consultation Responses

Not applicable

### 3. Planning History

00/00964/FUL Proposed erection of 37 No. 4, 3 & 2 bed detached/semi-detached/terraced houses and 4 No. 2 bed detached bungalows and associated garaging/parking (residential) (Total number of dwellings 41) Approved 19.12.2000

19/00161/FUL Proposed loft conversion with 4no. velux rooflights. Current

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019  
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

#### 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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 4no velux roof lights to a detached bungalow within the development boundary.

### Assessment

### Site History

Whilst the proposal would not normally require planning permission, the permitted development rights for the application dwelling have been removed by condition 09 of planning permission OO/00964/FUL.

Condition 09 states;

"Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995, no dormer window or other form of addition or opening shall be constructed in the roof of the buildings hereby permitted without express planning permission.

Reason: In order to ensure a satisfactory development in terms of visual amenity and privacy. "

A planning application is therefore required.

### Design and Appearance

The dwelling is one of two bungalow type properties situated within a fairly recent development in Dovercourt. The surrounding houses comprise of two storey terraced and semi-detached dwellings which vary in design and size and which are positioned around an area of open space. It is noted that the surrounding properties do not benefit from openings within their roofs.

The proposed roof lights positioned to the side will be publicly visible and noticeable additions within the roof when approaching the site.

Whilst publicly visible as a result of their minor nature and their set back from the front of the dwelling and front of the site they would not appear prominently within the streetscene and would not result in such a significant harmful impact to the overall character and appearance of the dwelling and area to justify refusing planning permission.

The new openings would be White UPVC on the inside and grey aluminium flashing externally. Whilst not consistent with the colour of the existing roof due to their minimal impact to the dwellings overall appearance and character the use of this material is considered acceptable.

### Impact to Neighbours

Whilst the proposal will result in a feeling over overlooking to the neighbouring properties due to their positioning within the roof the new roof lights would not result in a significant loss of privacy to the neighbouring properties.

### Other Considerations

Harwich Town 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: 01 Rev C.

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.