

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks planning permission for a two storey and single storey rear extension to a semi-detached dwellinghouse within the Development Boundary of Harwich.

Visual Impact

The application site is near the entrance of Lime Avenue, and is the first property fronting onto the road. The side elevation is exposed, with significant separation between it and the rear elevations of the adjacent properties on Main Road - which means that the proposal will appear prominent from Main Road and the entrance to Lime Avenue. The proposal has been amended, replacing the original flat roof of the two the storey element with a pitched roof and rear gable. This design relates well to the host dwelling, and the lower ridge height creates a sense of subservience. A similar two storey extension is present at the opposite dwelling, which is just as prominent in the street scene - and this proposal is therefore considered in keeping with the character of the area.

The single storey element will not be prominent from the street, but will be visible from the private track which serves the garages and outbuildings to the rear of nearby properties. The single storey extension is well related to the host dwelling, and is an appropriate size and scale for the site.

1.4m separation is retained between the two storey extension and the side boundary of the site, which satisfies policy HG14. Adequate private amenity space is retained.

Impact on Neighbours

The two storey element of the proposal is separated from the attached neighbour, with a single storey rear extension sited at the shared boundary.

The 45 degree daylight/sunlight test shows that the neighbour's glass doors will be obscured by the 45degree overshadowing zone of the single storey extension in plan but not in section, which means that there will not be a significant impact on neighbouring daylight or outlook. Due to the separation of the two storey element from the attached neighbour, and the neighbour's position to the south of the application site, there will be no significant impact on neighbouring daylight or outlook as a result of the two storey extension.

No side facing windows are proposed that will impact neighbouring privacy, and the first floor rear facing windows will have no greater impact on privacy than the existing first floor windows.

Other Considerations

Harwich Town Council has no objection to this application.

No other letters of representation have been received.

Conclusion

In the absence of material harm as a result of the proposed development, this 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's. 04-2019-03PA and 04-2019-04PA.

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 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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	NO
Are there any third parties to be informed of the decision? If so, please specify:	NO