

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	15/05/2019
Planning Development Manager authorisation:	SCE	16.05.19
Admin checks / despatch completed	WAO SB	17/05/19. 17/05/19.

**Application:** 19/00485/FUL **Town / Parish:** Elmstead Market Parish Council

**Applicant:** Mr P Wright

**Address:** 47 Church Road Elmstead Essex

**Development:** Proposed single storey side extensions.

### 1. Town / Parish Council

Elmstead Parish Council

It has been observed that the proposed garage and workshop are very close to the boundary with the neighbouring property. If the neighbour has no concerns regarding this then we have no objections to the proposal.

### 2. Consultation Responses

Not applicable

### 3. Planning History

19/00485/FUL      Proposed single storey side extensions.      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

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

HG9 Private Amenity Space

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 site comprises of a west facing detached dwelling which is set back from the highway. The dwelling has been constructed from brick with weatherboarding detail. Sited along the front boundary is an existing hedge which has a break in it to allow access onto the site. Sited along each neighbouring boundary is existing fencing.

### **Proposal**

This application seeks planning permission for the erection of single storey side extensions to either side of the existing house.

Since receipt of the proposal the plans have been amended to show that the side extension incorporating the dressing room and bedrooms to include a hipped roof design. It is considered this hipped roof design would relate better to the main dwelling.

### **Assessment**

The proposed enlargements will be sited off of the side walls of the existing house and will therefore be publicly visible from Church Road.

The proposal incorporates two extensions to the property which have been assessed below;

### **Dressing Room and Bedroom Enlargements**

Whilst the proposal will be publicly visible within Church Road it will be set back from the front of the site and predominantly screened by the existing front boundary planting preventing it from appearing as a prominent and harmful feature within the streetscene.

Since initial receipt of the application the design of this extension has been amended to incorporate a hipped roof design. Whilst the height has had to increase as a result of this making it more publicly visible it is considered this design amendment would allow the proposal to relate better with the main dwelling by joining the roof of the existing house.

The dwelling is positioned on a large plot with the proposal being sited over 1m from the neighbouring dwelling to the north. This distance away from the boundary as well as the plots width will prevent the proposal from appearing cramped in appearance.

The proposal is of an appropriate design and scale to the existing dwelling with it being constructed in materials which are consistent with the host dwelling.

The height of the proposal will be 0.4m lower than the main dwelling preventing it from over dominating the existing house and allowing it to appear as a subservient addition.

There are no existing roof lights on the property and the plans provided show that one will be placed in the front elevation. Whilst this is not consistent with the overall appearance of the dwelling it is a minor addition which should not appear harmfully within the streetscene.

#### Impact on Neighbours

This extension will not be visible to 45 Church Road sited to the south as it will be screened by the host dwelling.

Sited to the north is 49A Church Road which is a two storey detached dwelling set further back on its plot compared to the host dwelling. As a result of its positioning the proposal will not protrude beyond this neighbour's rear elevation.

New openings are proposed along the side elevation facing 49A Church Road resulting in a loss of privacy to this neighbour. The existing house already has an opening which faces this neighbour which serves the existing bedroom. The new openings will serve the bedroom and ensuite. As this neighbouring dwelling is already overlooked by the host site and as the new windows will be predominantly screened by the existing boundary planting and fencing it is considered the loss of privacy in this instance would not be so significant to reduce planning permission upon.

The neighbour of 49A Church Road has three ground floor openings sited along its side elevation which face onto the host site. These ground floor openings serve a study and two serve a living room which is also served by patio doors to the rear. These ground floor windows currently look onto the existing boundary planting and fencing and host dwelling receiving a reduced level of light and outlook. The proposal will reduce this further however as these windows are already screened by the existing boundary treatment and as the living room is served by another opening to the rear it is considered the level of outlook and light lost to this property not so significant to refuse planning permission upon.

The proposal will be visible to 51 Church Road sited to the north east however is of a sufficient distance away from this neighbour to not result in a harmful impact in terms of residential amenity.

#### Garage, Workshop, Sun lounge

The proposed Garage will be publicly visible when viewing the site.

The proposed workshop and sun lounge will be screened by the new garage with only parts visible through the spaces between houses.

The sun lounge and workshop will extend off of the proposed garage. The layout of the proposal and concept of extending off of another extension will appear as an incongruous feature when viewing the site from the rear. However when viewing the house from the front these elements will not be prominently visible and this formation would therefore not result in a harmful impact to the overall appearance and character of the existing dwelling or area.

The proposed garage will have a pitched roof which will match that of the existing bedroom on the existing house.

The proposed garage and workshop will comprise of brick which will be consistent with the host dwelling however the side and rear elevations of the proposed sun lounge will be finished in boarding. As this element is to the rear the use of this material would not result in a harmful impact to the appearance or character of the dwelling or area. The colour of the boarding has not been specified and the agent has stated they wish to agree this at a later stage and therefore a condition has been imposed upon the permission requesting this information.

The proposed extensions are of an appropriate size to the main dwelling and will be 2m lower than the existing dwelling to prevent it from over dominating the existing house and allowing it to appear as a subservient addition.

The plot is of a suitable width to accommodate this extension without its appearance cramped within the streetscene.

### Impact on Neighbours

Sited to the south is a two storey detached dwelling known as 45 Church Road which has an existing garage constructed along the boundary of the site along with boundary fencing. This part of the proposal will be visible to this neighbour with much of it being screened by the neighbours garage and boundary fencing. As a result of the orientation of the properties the proposal would not result in a loss of light to this neighbour.

The only openings proposed along this side elevation are roof lights which would be embedded into the roof slope of the proposal and as a result of their positioning will not be able to achieve clear views into this neighbours house or garden. It is therefore considered that the proposal would not result in a significant loss of privacy to 45 Church Road.

The proposal will be visible to this neighbour due to its depth and close proximity to the boundary. The neighbour of 45 Church Road is sited 6.5m from the shared boundary and the proposal will have a low eaves height of 2.5m. As a result of the distance away from this neighbours house, screening by way of the fencing and the proposals low eaves height it is considered that this enlargement would not result in such a significant loss of outlook to refuse planning permission upon.

This part of the proposal will be sited ample distance from 49A and 51 Church Road sited to the north and would not result in a loss of amenities to these neighbours.

### Highway Safety

The Essex County Council Parking Standards states that proposed garages should have an internal measurement of 3m by 7m. The proposed garage does not meet these requirements and the proposal will be constructed on land currently used for parking.

The dwelling is set back from the front of the site and the land to the front of the main house is of an appropriate size to retain the parking of two vehicles in line with the aforementioned standards. The proposal will therefore not result in a harmful impact in terms of highway safety.

### Other Considerations

Elmstead Parish Council states the below

"It has been observed that the proposed garage and workshop are very closed to the boundary with the neighbouring property. If the neighbour has no concerns regarding this then we 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 2133-01A, 2133-03D, 2133-04C and 2133-05D.

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

- 3 No above ground works shall be commenced until details of the boarding to be used in the construction of the sun lounge and the garage have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

Reason - To ensure that the development relates well to the host dwelling and the surrounding area.

## **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.