

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	29/06/19
Planning Development Manager authorisation:	AN	24/6/19
Admin checks / despatch completed	SB	25/06/19.

ER

Application: 19/00428/FUL **Town / Parish:** St Osyth Parish Council

Applicant: Mr and Mrs Proctor

Address: 264 Point Clear Road St Osyth Essex

Development: Erection of a rear and first floor extension to existing bungalow, new double garage and replacement of existing boundary wall to property frontage.

1. Town / Parish Council

St Osyth Parish Council

Whilst the Parish Council has no objections to the proposed extension itself, the Council do have objections with regard to the siting of the garage, which is forward of the building line.

2. Consultation Responses

Not Applicable

3. Planning History

13/00006/FUL	Drop kerb crossover.	Approved
19/00428/FUL	Erection of a rear and first floor extension to existing bungalow, new double garage and replacement of existing boundary wall to property frontage.	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

EN3 Coastal Protection Belt

HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

PPL2 Coastal Protection Belt

PPL3 The Rural Landscape

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is 264 Point Clear Road, St Osyth, a single storey dwelling located within the development which is set back from the highway comprising of a paved area to the front of the dwelling with an in and about driveway.

Proposal

The application seeks planning permission for the erection of a rear extension, porch and dormers to the front elevation, double garage and replacement of existing boundary wall to property frontage.

The proposed rear extension will involve two gable two storey extensions to comprise of a kitchen, dining and bathroom to the ground floor and extended bedroom one and two to the first floor. The extension will measure 13.4 metres in width, 5 metres in depth with an overall height of 6.7 metres.

The proposed porch to the front will measure 3 metres in width, 1.2 metres in depth with an overall height of 3.8 metres. The proposed dormer windows will serve bedroom 1, the landing and bedroom 2. The proposed garage to the front of the dwelling will measure 5.6 metres in width, 6.6 metres in depth with an overall height of 4.5 metres.

The replacement boundary wall will consist of brick piers and railings. The brick piers will measure 2 metres in height.

Assessment

The main considerations for this application are the design and appearance, impact upon neighbouring amenities and coastal protection belt.

Design and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

Most nearby properties are single storey chalet or bungalow style dwellings, but otherwise there is no pattern to the style or scale of surrounding properties.

The proposed rear extension will not be visible to the street scene as the proposal is located to the rear of the host dwelling. The extension incorporates two x two storey gable extensions which are linked by a single storey flat roof element. The proposal is considered to be acceptable in terms of design and appearance.

The proposed porch is single storey with a dual pitched roof. The proposal will be visible to the street scene however due to the dwelling being set back from the street scene as well as the single storey nature of the proposal; it is considered that the porch will not cause any significant impact upon the street scene.

The three dormer windows will be visible to the street scene, however due to the proposals being in proportion with the host dwelling as well as the use of matching materials; it is considered that the dormers will not cause any significant impact upon the street scene. There are also other examples of dormer windows within Point Clear Road and therefore it is considered that the proposals are considered to be in keeping with the character of the area.

The proposed garage will be located to the front of the host dwelling. Amendments have been sought and it is now set back from the highway. The roof is dual pitched and with the use of matching materials to those used within the host dwelling, it is considered in keeping with the character of the area.

The replacement wall is set back from the highway by approximately 2.2 metres. The proposal has been amended to incorporate railings rather than boarding to ensure that the proposal is in keeping with the character of the area. It is therefore considered that due to the use of materials that are similar to those used within the street scene, the proposal will not cause any significant impact upon the street scene.

The materials proposed are blue/black facing bricks to the new extension and first floor and the existing mottled brickwork to be tinted or fitted with brick slips to match the new blue/black facing bricks. The proposed garage will be constructed from blue/black bricks with fibre cement cladding to the eaves. The roof will be constructed from grey slate or grey pantiles with grey aluminium windows and doors. The replacement wall to the property frontage will be finished in blue/black facing bricks to match the extension. The materials proposed are considered to be modern and the proposed works will create a visual improvement to the dwelling.

Impact upon neighbouring amenities

Policy HG14 of the Tendring District Local Plan (2007) states extensions to dwellings over 4m in height should retain appropriate open space between dwellings and the side boundaries, with a minimum distance of 1m to ensure that new development is appropriate in its setting, does not create a cramped appearance and to safeguard the amenities and aspect of adjoining residents. The proposed rear extension will be visible to both neighbouring dwellings, number 266 and number 262a Point Clear Road. The proposal will be located approximately 1 metre away from the neighbouring dwelling number 266 Point Clear Road and located approximately 3 metres away from the neighbouring dwelling 262a Point Clear Road. The proposed extension demonstrates a

sufficient gap between the proposal and the neighbouring boundary and therefore it is considered that the extension does meet the aims of Policy HG14. The roof pitch of the gable projections are dual pitched which slope away to reduce any loss of light to the neighbouring amenities. There are no windows proposed on the side elevations of the gable projections to reduce any impact of overlooking.

The proposed porch is located approximately 6.2 metres away from the neighbouring dwelling number 266 Point Clear Road and approximately 7.8 metres away from the neighbouring dwelling number 262a Point Clear Road. Due to the single storey nature of the proposal as well as the dual pitched roof, it is considered that the proposal will not cause any impact upon the neighbouring amenities.

The proposed dormers are to the front of the application site. Views towards to the frontages of the dwellings, will be possible from the dormer windows. However, a good distance is retained between these dwellings and views will only be toward to the front gardens and therefore not considered significantly harmful to residential amenities.

The proposed garage will be located approximately 11.4 metres from the neighbouring dwelling number 266 Point Clear Road and located on the boundary of number 262a Point Clear Road. 262a Point Clear Road has a front projection containing a garage in this location. Due to the garage being single storey and the proposal having a dual pitched roof, it is considered that the proposal will not cause any significant impact upon the neighbouring amenities of 262a Point Clear Road. The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the roof would not catch the garage door in elevation, or intercept the garage door at 262a Point Clear Road in plan. It is therefore considered that the proposed garage would not cause any loss of light to the neighbouring dwelling.

The replacement wall will be visible to both neighbouring dwellings, however the proposal will be higher than the existing. It is considered that the proposal will not cause any significant impact upon neighbouring amenities.

Coastal Protection Belt

Saved Policy EN3 of the Tendring District Local Plan 2007 and Draft Policy PPL2 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) seeks to protect the unique and irreplaceable character of the Essex coastline from inappropriate forms of development as well as seeking to improve public access to and enjoyment of the coast in accordance with the National Planning Policy Framework.

The proposal will not have a substantial impact on the Coastal Protection Belt as it represents an existing dwelling within a built up area and the proposals will not cause any significant harm to the landscape character of the area.

Other Consideration

St Osyth Parish Council has no objections to the proposed extension itself, the Council do have objections with regards to the siting of the garage which is forward of the building line.

In response to the Parish Councils concern, the garage has been amended to be set back away from the highway to be in keeping with the character of the area.

One letter of objection has been received raising the following concerns:

-Objecting to the siting of the double garage and new boundary wall at the front of the property. The garage and high wall will form an obstruction and make it more difficult and dangerous to exit the driveway of no.262A.

In response to the concern, the plans have been amended for the garage to moved away from the highway and the design of the wall has been amended to be in keeping with the character of the area.

Conclusion

In the absence of any material harm resulting from the 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: Dwg No. TP-P007 Rev B, Dwg No. TP-P008 Rev A, TP -P009 Rev A, TP-P005 Rev A, TP-P006 Rev A, TP-P008 Rev A, TP-P-002 Rev B.

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

- 3 No above ground works shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of visual amenity as insufficient information has been submitted within the application for full consideration of these details.

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.

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