

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	03/07/2019
Planning Development Manager authorisation:	TF	05/07/2019
Admin checks / despatch completed	TF SB	05/07/19

Application: 19/00727/FUL

Town / Parish: Harwich Town Council

Applicant: Mr & Mrs Walker

Address: 13 Seafield Road 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

N/A

3. Planning History

99/00551/FUL	Extension to create new floor, roof and additional bedrooms	Approved	21.07.1999
19/00727/FUL	Proposed single storey rear extension.	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

HG9 Private Amenity Space

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is located to the east of Seafield Road, inside the development boundary of Harwich. It serves a detached two storey dwelling constructed predominantly of brick with a tile roof. The property is set across different levels with a driveway leading to a garage at ground floor/basement level and steps leading up to the front door. The rear of the site includes steps down to the garden area from the dwelling. It is laid to lawn with a combination of fencing and planting on the boundaries. The neighbour to the north is set on a similar level to the application site, but the neighbour to the south is a bungalow that is set at a considerably lower level.

Proposal

The application proposes a single storey rear extension, constructed of brickwork to match the existing dwelling. It will measure 5.95m wide by 4m deep, with a flat roof with a height of 3.75m and roof lanterns increasing the overall height to 4.35m. The extension will include a partial roof overhang projecting 1m from the southern side elevation and the changes in levels of the site the extension will enable an under floor area for storage.

Assessment

The main considerations of this application are the design and the impact on residential amenity.

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Design

The proposed extension is considered to be of a scale and nature appropriate to the site and the surrounding area. The use of matching brickwork will blend the development acceptably with the host dwelling, and it will not be visible from the road so will not result in any impact upon the street scene. The development will replace an existing conservatory, albeit on a larger footprint. Overall the development is a modest addition of a design that is considered acceptable to the area.

Sufficient private amenity space is retained for the occupiers of the property in accordance with Policy HG9.

Impact on Residential Amenity

The extension will be located 1.8m from the northern neighbouring boundary, whose dwelling is positioned much further forward within the plot than the application site. The development will be

2.1m from the boundary to the south, plus there is an electricity substation located between the application site and the southern neighbour, No. 15 Seafield Road resulting in a distance between the extension and No. 15 of approximately 5m. This neighbour is a bungalow that is set on a significantly lower level to the application site.

The extension may be visible from No. 15 Seafield Road due to the significant change in levels but the extension replaces existing built form and the fenestration on the side elevation of No. 15 is located towards the front elevation of the property. Due to this and the separation there is not considered to be an increased level of overlooking or loss of privacy from the development that is considered significant enough to warrant a refusal of planning permission. There are no window openings proposed in the north side elevation.

The 45 degree sunlight/daylight rule contained within the Essex Design Guide has been applied to the development and it is considered that despite the change in levels, the separation between the dwellings and the existing site arrangement will not result in a development that has any significant or increased impact on the neighbours to that which currently exists.

Other Considerations

Harwich Town Council has no objection to this application.

No letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and 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 plan: Block Plan 1:500, Drawing No. 101 Rev. C and Drawing No. 103 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.

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