

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	11/07/2019
Planning Development Manager authorisation:	TF	11/07/2019
Admin checks / despatch completed	SB	12/07/2019

Application: 19/00760/FUL **Town / Parish:** Thorpe Le Soken Parish Council *DL*

Applicant: Mr R Sultana

Address: Ash Cottage 73 Frinton Road Thorpe Le Soken

Development: Proposed alterations, additions and garage.

1. Town / Parish Council

Thorpe Le Soken Parish Council No comments received.

2. Consultation Responses

N/A

3. Planning History

19/00760/FUL Proposed alterations, additions and garage. 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
HG14 Side Isolation

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
Essex Design Guide

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 north of Frinton Road, inside the development boundary of Thorpe le Soken. It serves a semi detached two storey dwelling constructed of red brick and render with a tile roof, with a gable front porch and small gable on the front elevation. An existing single storey rear projection was being demolished at the time of the officer site visit. The front of the site has gated access and a large area of gravel for parking of at least 2 no. cars. The rear of the site consists of an extensive rear garden of approximately 30m depth and has close boarded fencing and planting on the boundaries with an outbuilding close to the rear boundary. Beyond the site to the north and east is open countryside.

Proposal

The application proposes a two storey rear/side extension, front porch and detached garage.

The rear/side extension will measure 10.4m wide (4.02m beyond the side elevation) and will extend 4.275m from the rear elevation of the dwelling. It will include a single storey monopitch roof section adjacent to the attached neighbour which has a maximum height of 3m. The two storey element will have an eaves height of 4.4m and a ridge height of 6.1m. It will be constructed of brick, render and tiles to match the existing dwelling.

The proposed porch will replace the existing and will measure 1.237m by 2.24m and with an eaves height of 2.9m and a ridge height of 4m. It will be constructed of matching brick and roof tiles.

The proposed garage will measure 5.2m wide by 13m deep with a flat roof, with maximum height of 2.8m. It will be constructed with hardiplank boarding and a brick plinth.

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.

Policy HG14 of the Tendring District Local Plan (2007) states that extensions over 4 metres in height will be required to retain appropriate open space between the dwelling and the side boundaries to ensure the new development is appropriate in its setting and does not create a cramped appearance; and to safeguard the amenities and aspect of adjoining residents.

Design

The proposed development is considered to be of a scale and nature appropriate to the site and the surrounding area.

The porch replaces an existing porch of the same scale and the use of matching brick will blend the porch acceptably with the host dwelling. It will not have an adverse impact on the street scene.

The rear/side extension has eaves that match the existing dwelling and a ridge height 1m lower than the main dwelling making it appear as a subservient addition. The extension is considered to be a good design with matching materials that will respect the host dwelling. It is set back from the front elevation by 5m and from the road by over 14m and does not appear cramped within the plot. Whilst views of the extension may be possible on approach from the east, there will be no views from the west due to the extensions set back and limited views of the extension when viewed at the front of the property due to the existing mature hedging that borders Frinton Road and the adjacent field. The development is well set back within the plot, is appropriate in its setting and is not considered to have any adverse impact on the street scene.

The proposed garage whilst substantial in terms of overall depth is considered to be of an acceptable design given its rear location and having regard to the size of the plot. The garage will not be visible from the road as it is located behind the dwelling and proposed extension. The use of hardiplank cladding is considered acceptable to the area as the adjacent dwelling includes weatherboarding. The internal dimensions exceed the current parking standards for a single garage. The car port section of the extension on the main dwelling allows for access to the proposed detached garage. The development increases the dwelling from 3 bedrooms to 4 bedrooms, but sufficient parking is available within the site in line with parking standards.

Impact on Residential Amenity

The only neighbour likely to be affected by this development is the attached neighbour at No. 71 Frinton Road. The rear/side extension proposes a window on the west side elevation facing this neighbour. The plans indicate that this window will be obscure glazed. To protect the privacy and amenities of the occupiers of adjoining property a condition is imposed on the permission to ensure that this window is obscure glazed and retained as such.

The two storey element of the extension is located 2m from the boundary shared with the neighbour, which reduces to a modest single storey monopitch section located 1m from the boundary. The 45 degree sunlight/daylight rule contained within the Essex Design Guide has been applied to this development and there is not considered to be any significant adverse impact on the sunlight/daylight currently enjoyed by neighbouring property.

The front porch and detached garage will not cause any adverse impact on neighbours due to their scale and proximity within the site.

Overall, the proposed development is not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property and is considered acceptable in this regard.

Other Considerations

Thorpe Le Soken Parish Council has not commented on the 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: Drawing No. 3.

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

- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the first floor window on the west side elevation serving the bathroom shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

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