

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	13/08/2019
Planning Development Manager authorisation:	<i>ER</i>	21/8/19
Admin checks / despatch completed	<i>ER</i>	22/8/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	<i>ER</i>	22/08/19

Application: 19/00975/FUL **Town / Parish:** Harwich Town Council

Applicant: Mr & Mrs Nicholas Rate

Address: 15 The Drive Dovercourt Harwich

Development: Single storey rear extension.

1. Town / Parish Council

Harwich Town Council

No objection to this application.

2. Consultation Responses

Not applicable

3. Planning History

16/00812/FUL Proposed loft conversion and front dormer window for private use. Approved 18.08.2016

19/00975/FUL Single storey rear extension. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework
National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

NPPF National Planning Policy Framework February 2019

QL11 Environmental Impacts and Compatibility of Uses

HG14 Side Isolation

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination In Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

5. Officer Appraisal (including Site Description and Proposal)

Application site

The application site comprises of a south west facing detached chalet bungalow. The dwelling is set back with a garage to the rear and front vehicular access and driveway. The existing dwelling has had previous alterations completed including a loft conversion approved under planning reference 16/00812/FUL.

Proposal

This application seeks planning permission for the erection of a single storey rear extension.
Assessment

Design and appearance

The proposal will be sited to the rear of the existing house and predominantly screened by the host dwelling.

Due to its depth elements of the proposal will be visible from the streetscene through open spaces between the houses however as a result of the extensions set back from the front of the site it would not appear prominently within the streetscene.

The depth of the proposal is excessive compared to the main house and will result in incongruous views when viewing the house from the rear however as it will be sited to the rear this depth would not result in a harmful impact to the overall appearance of the dwelling or area.

The height of the enlargement will be lower than the main house allowing it to appear as a subservient addition to the main dwelling.

The proposal will be finished in grey render which will match the existing house.

The site is of a sufficient size to accommodate the proposal and still retain sufficient private amenity space.

The height of the extension will be 4.3m and it will be sited within 1m of the boundary conflicting with saved policy HG14. With the proposal being sited to the rear with only limited views from behind the main dwelling it would not appear cramped within the streetscene and therefore its failure to comply with saved policy HG14 would not be so significant to refuse planning permission upon.

Impact to Neighbours

The proposal will be sited sufficient distance from the neighbouring boundary to the south and would not result in a loss of light or outlook to this neighbour. The proposal does include new openings which will face this neighbour's garden however as these are at ground floor and will be sited at least 8m from this neighbour and will be screened by the existing boundary fencing any views obtained by these windows are likely to be limited. The loss of privacy in this instance is therefore not so significant to refuse planning permission upon.

The proposal will result in an impact to the residential amenities of the neighbouring property to the north known as 11 The Drive. This neighbour has a garage sited along the boundary shared with the application site and one opening positioned along its side elevation which currently faces onto the host dwelling receiving little light and outlook at present.

The introduction of the extension will result in a loss of light and outlook to this neighbour's side facing window however as this window already looks onto the application dwelling and currently receives little light and outlook this would not be so significant to refuse planning permission upon.

This neighbouring dwelling's garage will mean that part of the proposal will be screened and any direct views from this neighbour's rearward facing openings should not be compromised. The proposal will have a pitched roof design with a low eaves height of 2.5m which will assist in further reducing any level of outlook received by this neighbour. It is therefore considered the loss of outlook in this instance would not be so significant to refuse planning permission upon.

As the proposal would result in a loss of light to this neighbour the Sunlight/ daylight calculations specified within the Essex Design Guide have been applied to the proposal. The 45 degree line in plan would intercept the rear facing windows of the neighbour however in elevation would only intercept the lower section of the adjacent garage. It is therefore considered that the loss of light in this instance would not be so significant to refuse planning permission upon.

New velux windows will be placed in the roof slope facing this neighbour, as a result of their siting within the roof they will only receive limited views and would not result in a significant loss of privacy to this neighbour.

It is noted that the proposal would be contrary to saved policy HG14 as it would be over 4m in height and within 1m to the boundary. Whilst contrary to this policy the impact of the proposal to the neighbouring properties residential amenities have been assessed in detail above and it has been considered that any impact of the proposal to the neighbouring amenities would not be so significant to warrant its refusal.

Other Considerations

Harwich Town Council have no objection 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 plan: 31-2019-04p and 31-2019-03p.

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.