

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	20/08/2019
Planning Development Manager authorisation:	Gn	21/8/19
Admin checks / despatch completed	EK	22/8/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	SB	22/08/19

Application: 19/01024/FUL **Town / Parish:** Thorpe Le Soken Parish Council

Applicant: Sue McCann

Address: 16 Byng Crescent Thorpe Le Soken Clacton On Sea

Development: Proposed side extension to form annex.

1. Town / Parish Council

Thorpe le Soken Parish Council No comments received.

2. Consultation Responses

Not applicable

3. Planning History

19/01024/FUL Proposed side extension to form annex. 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
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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site comprises of a north west facing end terraced dwelling "16 Byng Crescent" which is sited within the Development boundary of Thorpe le Soken.

Proposal

This application seeks permission for the erection of a two storey side extension to form an annex.

Since initial receipt of the planning application the plans have been amended to show a change in scale and design of the proposal.

Assessment

Design and Appearance

The National Planning Policy Framework attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Saved Policy QL9 states that all new development should make a positive contribution to the quality of the local environment, new buildings must be well designed and maintain local character, and development must relate well to its site and surroundings particularly in relation to its scale, massing, form and design. These sentiments are carried forward in Draft Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Saved Policy HG14 of the Tendring District Local Plan (2007) states that, extensions to dwellings over 4m in height should retain appropriate open space between dwellings and the side boundaries to ensure that new development is appropriate in its setting and does not create a cramped appearance. As a guideline a minimum distance of 1 metre will be sought. Where circumstances warrant it, a greater distance will be sought.

The application dwelling is the last house in a row of terraced dwellings signalling the end of development within this section of the streetscene.

The open space between the application dwelling and neighbouring properties to the north east provide a welcome break in built form within the streetscene. The proposed extension measures

just under half the width of the existing house and will be sited within 1m of the neighbouring boundary taking up the remainder of the plot.

The extension itself will be set back from the front of the dwelling by 0.2m and lower in height by 0.35m however it is considered that these differences are too minimal and would not allow the proposal to appear as a subservient addition to the main dwelling.

Due to the sites end terraced location and as a result of the proposals siting and excessive size the proposed extension would appear as a prominent and incongruous feature within the streetscene resulting in a significant harmful impact to the appearance and character of the dwelling and area.

The proposal incorporates a hipped roof design which matches that of the existing dwelling and neighbouring properties and will be finished in materials which match those used in the host dwelling.

Whilst amended plans have been received altering the design and size of the proposal the amendments made have not been so significant to overcome the issues raised above.

It is therefore considered as a result of the proposals siting and excessive size that the proposed extensions would result in detrimental harm to the visual amenity and character of the existing dwelling and area.

Impact to Neighbours

The proposed extension will not be visible to 14 Byng Crescent and will not result in a loss of residential amenities to this neighbour as it will be screened by the host dwelling.

The neighbouring dwelling to the north 18 Byng Crescent is sited a minimum of 5m from the boundary shared with the application site. As a result to this distance it is considered that the proposal would not result in a harmful impact to this neighbour in terms of loss of light or outlook. The proposal includes the introduction of two new rearward facing openings which will look into this neighbours garden and have the potential to result in a loss of privacy to this neighbour. As this neighbour is already overlooked by the host dwelling and other neighbouring properties it is considered that the level of privacy lost in this instance is not so significant to refuse planning permission upon.

Highway Safety

The Essex County Council Parking Standards states that where a dwelling comprises of two or more bedrooms that 2no. parking spaces should be retained at the site measuring 5.5m by 2.9m per space. The dwelling is set back from the highway and is of a suitable size to accommodate 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

Thorpe le Soken Parish Council have not commented on the application.
No letters of representation have been received.

Conclusion

The proposed development by virtue of its size and scale will result in an incongruous form of development to the main dwelling, detrimental to visual amenity and the overall character of the area contrary to the aforementioned national and local policies.

6. Recommendation

Refusal - Full

7. Reasons for Refusal

- 1 The National Planning Policy Framework attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for

people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.