

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	22/08/2019
Planning Development Manager authorisation:	GN	22/8/19
Admin checks / despatch completed	GR	27/08/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	le	27/8/19

**Application:** 19/00931/FUL **Town / Parish:** Great Oakley Parish Council

**Applicant:** Mr and Mrs R King

**Address:** Nayland Harwich Road Great Oakley

**Development:** Proposed rear conservatory and first floor extension with alterations to the front porch and bay window.

### 1. Town / Parish Council

Great Oakley Parish  
Council

### 2. Consultation Responses

N/A

### 3. Planning History

96/00316/FUL	(Nayland, Main Road, Great Oakley) Stationing of caravan for habitation	Approved	19.06.1996
19/00931/FUL	Proposed rear conservatory and first floor extension with alterations to the front porch and bay window.	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 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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)**

### Application site

The application site is located within the development boundary of Great Oakley. It serves a semi-detached two storey dwelling constructed of brick and render with a tiled roof. The front of the site is laid with concrete for parking with a garage to the east side of the host dwelling. The rear has a patio and is then laid to lawn with close boarding fencing on the boundaries.

### Proposal

This application seeks planning permission for a rear conservatory, a first floor rear extension and alterations to the front porch and bay window. The rear conservatory proposal will measure a maximum depth of 3.9m, 3.3m wide, and will have a pitched roof with a maximum height of 3.2m. The first storey rear extension proposal will measure a maximum depth of 3.7m, 4m wide, and will have a pitched roof with a maximum height of 6.1m from ground floor level. The proposed porch will be enlarged from the existing and will measure a maximum depth of 1m and be 2.5m wide with a monopitched roof, that will flow over the front bay window with a maximum height of 3.2m.

The proposed materials throughout the development will consist of render, with a tiled roof to match the existing host dwelling. The proposed materials for the porch alterations differ slightly as roof materials propose to be slate.

### Assessment

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

## Policy Considerations

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 and Appearance

The proposals are considered to be of a scale and nature appropriate to the site and the surrounding area. The use of matching materials will blend the development with the host dwelling. The proposed porch will be visible from Harwich Road the proposed first storey extension will be partly visible from Harwich Road. Although the development will be publicly visible it will not have any impact upon the street scene as it will be set back from the front boundary by a minimum of 7.8m.

The proposed first storey rear extension will be in line with the host dwellings side elevation and will match the eaves height blending the development acceptably with the host dwelling. Although the proposal will be partly visible from the road it will not cause any impact on the street scene as there is not a clear character of housing, the dwellings on Harwich Road all differ from one another. Further, the proposed front porch is considered to add interest. The design of the development overall is considered to be acceptable.

## Impact on Residential Amenity

The first storey rear extension is a distance of 2.8m to the shared boundary line with Jaclyn Harwich Road and will be 5.8m away from the dwelling at Jaclyn. The proposed extension will not be protruding to the side of the host dwelling. The proposed first floor extension will be located 2m to Sun View, the 45 degree test was carry out for completeness and neither plan or elevation failed. Therefore due to the distance there will be no significant adverse impact on the daylight, privacy or other amenities currently enjoyed by the neighbouring property.

The single storey rear conservatory will be 0.4m from the shared boundary line with Sun View Harwich Road. As the proposal is for a single pitched roofed conservatory, there will be no significant loss of light or overlooking. Overall the proposed extensions are not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

The proposed porch will only protrude from the front elevation by 1m because of this there will be no adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring properties.

## Other Considerations

No letters of representation were 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 / Reasons for Refusal**

- 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. 1905/896-04 Rev A and 1905/896/03/2 Rev A.

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.

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