

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	03/09/2019
Planning Development Manager authorisation:	GN	2/9/19
Admin checks / despatch completed	ER	2/9/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	SB	04/09/19

Application: 19/01100/FUL **Town / Parish:** Harwich Town Council

Applicant: Mr & Mrs Wallace

Address: 23 Allfields Dovercourt Harwich

Development: 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

19/01100/FUL 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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 east facing semi-detached dwelling. Due to the layout of the area the application dwelling and its attached neighbour are set further forward on their plots. The application dwelling has a driveway positioned to the side which leads to the garage.

Proposal

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

Assessment

Design and Appearance

The proposal will be sited to the rear behind the application dwelling.

Due to the positioning of the houses within the streetscene the proposal will be publically visible when viewing the house from the north.

The proposal is of a single storey design which will be set back from the highway preventing it from appearing prominently within the streetscene.

The proposed extension will also be partially screened by the existing boundary fencing which will assist in softening any views of it from the north.

The proposal is of an appropriate size to the main dwelling which will be finished in materials which are consistent with the existing house.

Whilst the flat roof design is not inkeeping with the overall hipped roof design of the existing property as only minor views of the proposal will be achieved from the streetscene it is considered that the use of a flat roof would not appear harmfully in relation to the appearance of the dwelling or area.

Saved policy HG9 states that where a dwelling comprises of 3 or more bedrooms that a private amenity space of 100m² should be retained at the site. Upon completion of the proposed extension the site area will reduce to 94.5m² which will be under the required amount. Whilst the amount of private amenity space is contrary to Saved Policy HG9 the area remaining is only 5.5m² shy of the aforementioned requirements and still represents a useable area. Therefore the failure to comply with the policy is considered not so significant to refuse planning permission upon.

Impact on Neighbours

The proposal will be sited ample distance from the neighbours to the north and south west and would not result in a loss of residential amenities to them.

The proposal will result in an impact to the residential amenities to the neighbouring property to the south known as 21 Allfields.

It is noted that there is a change in ground levels between houses which results in the application dwelling being significantly lower than its neighbour.

The proposal will result in a loss of outlook from this neighbouring dwellings patio doors which serve their existing kitchen/ dining area. This room is served by a second smaller window sited away from the location of the proposal. The proposed extension will be set 0.3m off of the boundary shared with 21 Allfields and partially screened by the existing boundary wall and fence. The proposal will have a flat roof design and be 3.1m in height however due to the change in ground levels between plots will only appear as 2.4m in height. As a result of the above it is considered that the loss of outlook to this neighbour would not be so significant to refuse planning permission upon.

As the proposal will result in a loss of light to 21 Allfields the sunlight/daylight calculations specified within the Essex Design Guide have been applied to the proposal. The 45 degree line in plan would encompass this neighbours rear facing openings however in elevation the 45 degree line would only intercept the lower section of the rear facing patio doors. It is therefore considered that the loss of light in this instance is not so significant to refuse planning permission upon.

The proposal does not include any side facing openings and will therefore not result in a loss of privacy to this neighbour to the south.

Other considerations

Harwich Town Council has no objections to the proposal.
No 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: WAF-01 Revision 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.