

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	09/10/19
Planning Development Manager authorisation:	TF	11/10/19
Admin checks / despatch completed	SB	11/10/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	KAE	11/10/19

**Application:** 19/01230/FUL **Town / Parish:** Harwich Town Council

**Applicant:** Eddie Clifton

**Address:** The Waterfront Lower Marine Parade Dovercourt

**Development:** New dormer window to residential part of building.

### 1. Town / Parish Council

Harwich Town Council Harwich Town Council has no objection to this application.

### 2. Consultation Responses

Not Applicable

### 3. Planning History

07/00900/OUT	Outline planning application for 24 apartments in two blocks with associated access, parking, cycle provision and landscaping.	Non determination Dismissed	02.04.2008
12/00701/FUL	Proposed extension and alterations to sports and social club. Alterations and two storey extension to existing building (including creation of extension to managers accommodation). Single storey extension for kitchen, staff areas and toilets. Extension to North West of existing to include bar/lounge area, function hall and toilets. External works to include car park alterations and landscaping.	Approved	28.08.2012
17/02005/FUL	Alterations to provide additional vehicular access to allow separate entrance and egress to public highway with associated landscaping.	Refused	17.01.2018
18/00164/FUL	Alterations to provide additional	Approved	03.04.2018

vehicular access to allow separate entrance and egress to public highway with associated landscaping.

19/01216/ADV      Proposed new freestanding internally illuminated roadside sign.      Approved      08.10.2019

#### **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

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

#### **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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 The Waterfront, Lower Marine Parade, Dovercourt which is a two storey building containing a sports and social club with part residential to the rear elevation of the building. The site is accessed via a private drive from Lower Marine Parade with pedestrian access to the north via Fronks Avenue by way of a public footpath that runs along part of the northern and eastern boundary of the site. The application site is situated within the development boundary of Harwich.

### Proposal

The application seeks planning permission for the new dormer window to residential part of the building.

### Assessment

The main considerations for this application are the visual amenity and impact upon neighbouring amenities.

### Visual Amenity

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The proposed dormer window is located to the north western elevation of the building which is not visible to Lower Marine Parade however the proposal will be visible from Fronks Avenue. The residential element is currently served by a dormer window and there are examples of dormer windows in the street scene. It is therefore considered that the proposal will be keeping with the character of the area.

The proposal will be constructed from cream horizontal fibre weatherboarding, felt roof and brown pvcu windows which are materials which match the existing building. Therefore the proposal is considered acceptable in terms of visual amenity.

### Impact upon Residential Amenity

In terms of the impact upon residential amenity, directly adjacent to the application site is number 27 Fronk's Avenue. As demonstrated on drawing no.1902.3/5 the window will be obscure glazed to ensure that there is no overlooking onto neighbouring amenities. A condition will be imposed to ensure that the window will be retained in this form. It is therefore considered that the proposed dormer window will not cause any impact upon neighbouring amenities.

### Other considerations

Harwich Parish Council have no objection to the application.

No letters of representation have been received.

## **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.1902.3, Drawing No.1902.3/3, Drawing No.1902.3/4 and Drawing No.1902.3/5

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 (as amended) (or any Order revoking and re-enacting that Order with or without modification), the dormer window proposed on the north west elevation shown on Drawing No. 1902.3/5 shall be non opening and glazed in obscure glass 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.

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