

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	08/11/2019
Planning Development Manager authorisation:	TF	11/11/2019
Admin checks / despatch completed	CC	11/11/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	11/11/19

Application: 19/01319/FUL **Town / Parish:** Great Oakley Parish Council

Applicant: Mr and Mrs Young

Address: 22 Sparrows Corner Great Oakley Harwich

Development: Proposal to remove and rebuild the front porch, construct a single-storey rear extension, construct a new rear first-floor bedroom over the existing single-storey area and demolition of the conservatory at the rear.

1. Town / Parish Council

Great Oakley Parish
Council

Great Oakley Parish Council have no objections regarding this application.

2. Consultation Responses

N/A

3. Planning History

18/01175/FUL	Proposed demolition of existing conservatory & construction of new single storey rear extension.	Approved	30.08.2018
18/01718/NMA	Non material amendment to application 18/01175/FUL - Replacement of plans numbered 135-2B and 135-5B with 135-6 and 135-5C in order to create open plan kitchen dining layout, and improve external appearance.	Withdrawn	22.10.2018
18/01783/FUL	Proposed demolition of existing conservatory & construction of new single storey rear extension. (Revised application to approved scheme 18/01175/FUL)	Approved	18.12.2018
19/01319/FUL	Proposal to remove and rebuild the front porch, construct a single-storey rear extension, construct a new rear first-floor bedroom over the existing single-storey area and demolition of the conservatory at the rear.	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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 with a tiled roof. The front of the site is entirely paved for parking which wraps around to the east side of the host dwelling leading to a gated entrance to the rear. The rear has a patio and is then laid to lawn with an existing previously approved single storey extension and conservatory. The boundaries have close boarded fencing.

Proposal

This application seeks planning permission for a porch after demolishing the existing, a single storey rear extension after demolishing the existing conservatory and a first floor rear extension over the existing ground floor extension. The porch proposal will measure a maximum depth of 1.2m, 1.8m wide, and will have a pitched roof with a maximum height of 3.3m. The ground floor rear extension proposal will measure a maximum depth of 5.2m, 4.2m wide, and will have a flat roof with a maximum height of 3.1m and the first storey rear extension will measure a maximum depth of 3.1m, 3.9m wide, and will have a pitched roof with a maximum height of 6.4m from ground floor level.

The proposed materials throughout the proposed development will consist of brick, with a tiled roof to match the existing host dwelling. The application also proposes for the front elevation, excluding the proposed porch, to be finished in render.

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 Sparrows Corner and the proposed first storey extension will be partly visible from Sparrows Corner. Although the development will be publicly visible it will not have any impact upon the street scene as the porch will be set back from the front boundary by a minimum of 10.3m. It is also important to note that there is an existing porch in this location.

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. 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 1.9m to the shared boundary line with 23 Sparrows Corner and will be approx. 5.3m away from the dwelling at 23 Sparrows Corner. The proposed first floor extension will be located 3.3m to the adjoining boundary line with the attached property, 22 Sparrows Corner.

The single storey rear extension will be 5m from the shared boundary line with 23 Sparrows Corner and will be located on the boundary line with 22 Sparrows Corner. As the proposal is for a single flat roofed extension, there will be no significant loss of light or overlooking. It is also important to note that there is an existing conservatory in this location. The 45 degree test was carried out for completeness and although it failed in plan it does not fail in elevation. It is therefore considered that the loss of light in this instance is not so significant to refuse planning permission upon.

Overall the proposed extensions are not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring properties.

The proposed porch will only protrude from the front elevation by 1.2m and because of this there will be no adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring properties.

Other Considerations

Great Oakley Parish Council had no objections regarding this application. No further 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. U330-DR-002 Rev B.

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.

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