

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	15/11/19
Planning Development Manager authorisation:	TF	15/11/19
Admin checks / despatch completed	CC	15.11.19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	vne	15/11/19

Application: 19/01213/FUL

Town / Parish: Thorpe Le Soken Parish
Council

Applicant: Mr Les Murray

Address: 10 Abbey Crescent Thorpe Le Soken Clacton On Sea

Development: Proposed rear dormer.

1. Town / Parish Council

Thorpe Le Soken Parish Council No Objection

2. Consultation Responses

Not Applicable

3. Planning History

19/01213/FUL Proposed rear dormer. 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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 relates to number 10 Abbey Crescent, Thorpe Le Soken, which is a north facing single storey dwelling constructed from brick and tile. The surrounding area is urbanised and is characterised by a mixture of detached residential dwellings. The site is situated within the Development Boundary of Thorpe-le-Soken, as agreed within the Tendring Local Plan 2007.

Description of Proposal

This application seeks planning permission for the erection of a rear dormer window to serve two bedrooms and an en-suite bathroom.

A hip to gable dormer has been demonstrated on the plans, however it meets the requirements of Class B of the General Permitted Development Order and therefore does not require Planning Permission and as such does not form part of the determination of this application.

Sky lights have been demonstrated on the plans, however it meets the requirements of Class C of the General Permitted Development Order and therefore does not require Planning Permission and as such does not form part of the determination of this application.

Assessment

The main considerations of this application are the impact on the visual appearance of the dwelling and the impact on residential amenities.

Design and Appearance

Saved Policies QL9, QL10 and QL11 of the adopted Tendring District Local Plan 2007 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design. Policy SPL3 of the emerging Tendring District Local Plan Publication Draft 2017 carries forward

these sentiments stating that all new development must make a positive contribution to the quality of the local environment and protect or enhance local character.

The proposed dormer is located to the rear of the host dwelling therefore will not cause any significant impact upon the street scene of Abbey Crescent. The dormer will be constructed from GRP roofing with vertical cladding and white uPVC windows which are materials that are considered to be in keeping with the character of the area. The dormer window is considered to be of a size and scale which does not dominate the rear roof slope of the building and therefore it will not be harmful to the appearance of the area. There are other examples of dormer windows in the vicinity and therefore the proposal will not result in a detrimental impact to the character of the surrounding area.

Impact on Residential Amenity

The proposed rear dormer will be visible to the dwelling to the east and to the dwelling to the west. The dormer will serve two bedrooms and an ensuite bathroom; however the windows will only serve the bedrooms. Bedrooms are not primary living areas and any overlooking or loss of privacy cannot be considered materially harmful given the limited time spent in these rooms. For the reason set out above, it is concluded that the site can accommodate the proposed dormer window without having a materially damaging impact on visual or neighbouring amenities.

Other Considerations

Thorpe-le-Soken Parish Council has raised no objections.

There have been no other letters of representation 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. 103 Revision B and Drawing No. 104 Revision 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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
---	------------	-----------

Are there any third parties to be informed of the decision? If so, please specify:	YES	NO