

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	26/11/2019
Planning Development Manager authorisation:	AN	26/11/19
Admin checks / despatch completed	XLQ	28/11/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	28/11/19

Application: 19/01459/FUL **Town / Parish:** Harwich Town Council

Applicant: Dovercourt Refurbishment Ltd.

Address: 30 Marine Parade Dovercourt Essex

Development: Proposed ground floor rear extension to make one bedroom flat into three bedroom.

1. Town / Parish Council

Harwich Town Council Harwich Town Council objects to this application on the grounds of over-development and loss of amenity and parking space.

2. Consultation Responses

ECC Highways Dept The information that was submitted in association with the application has been fully considered by the Highway Authority. As the proposal is for a ground floor rear extension and the existing property has no off-road parking but the dwelling is in a town centre location with good public transports links therefore:

The Highway Authority does not object to the proposals as submitted.

Informative 1: In main urban areas with frequent and extensive public transport, cycling and walking links, the EPOA Parking Standards recommend that a reduced parking standard provision may be applied to residential developments. A reduced parking standard provision level can be applied to this proposal as it is located very close to regular public transport services and public car parking facilities.

Informative 2: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

3. Planning History

93/00208/FUL	Change part of use to business	Current	30.04.1993
08/00763/LUEX	Certificate of Existing Lawful Use of property as three dwellings (use class C3)	Lawful use certificate granted	11.08.2008
18/01172/FUL	Proposed continued use of property as 4 no. self-contained flats, with ancillary works including provision of landscaping, parking and private amenity space with the addition of cycle and bin storage.	Approved	06.09.2018

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

HG3 Residential Development Within Defined Settlements

HG9 Private Amenity Space

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL2 Settlement Development Boundaries

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 30 Marine Parade, which is a three storey building located within the parish of Dovercourt. The character of the surrounding area is urban in nature, with significant built form to the north, north-east and west. To the south-east is the seafront. The site falls within the Settlement Development Boundary for Dovercourt within both the Tendring District Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

Description of Proposal

The application seeks planning permission for the proposed ground floor rear extension to make one bedroom flat into three bedrooms.

History

Under planning reference 08/00763/LUEX, permission was granted for the building to be converted to three dwellings.

Under planning reference 18/01172/FUL, permission was granted for the continued use of property as 4 no. self-contained flats, with ancillary works including provision of landscaping, parking and private amenity space with the addition of cycle and bin storage.

Assessment

1. Principle of Development

The site is situated within the defined settlement limits of Dovercourt as defined by both the adopted Tendring District Local Plan (2007) and emerging Publication Draft (2017) and therefore the principle of residential development in this location is acceptable subject to the detailed considerations as set out below.

2. Design and Appearance

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in

Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed extension is located to the rear of Marine Parade and therefore it will not be visible from the street scene. The proposal will be single storey and it will be constructed from brick with a flat roof and UPVC windows to match the existing building. Overall, it is considered that the proposed changes are minor and will not result in the building appearing incongruous within this location.

Policy HG9 of the Saved Tendring Local Plan 2007 states that private amenity space for a dwelling with one bedroom should be a minimum of 50 square metres. The private amenity space for Flats 3 and 4 remains unchanged. The proposed extension will reduce the amount of private amenity space provided for Flats 1 and 2. Whilst it is acknowledged this does not meet the requirements of the above policy, it is considered that the site is in a highly sustainable location with various amenity areas in the surrounding area, particularly with the seafront adjacent to the south-east, and therefore it is not deemed a significant reason to refuse this application.

3. Impact on Neighbours Amenities

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed extension will not be visible to the neighbouring dwelling to the south west as the proposal is located to the north eastern elevation of the building. The proposal will be visible to number 28-29 Marine Parade, however due to the single storey nature of the proposal, as well as there being no windows along the side elevation to avoid any impact of overlooking and the existing fence which will help to screen the development, it is considered that the proposed extension will not cause any significant impact upon neighbouring amenities.

4. Highways

Essex County Council have been consulted and have stated that as the proposal is for a ground floor rear extension and the existing property has no off-road parking but the dwelling is in a town centre location with good public transports links, the Highway Authority do not object to the proposed extension.

Adopted Car Parking Standards state that for a dwelling comprising of one bedroom, provision should be made for a minimum of one parking space measuring 5.5m x 2.9m or a garage, if being used as one of the parking space, should have a minimum internal measurement of 7m x 3m. The application seeks to convert the existing garage and the area to the north east to accommodate a living room/kitchen. Although the proposed development will see the loss of parking for two spaces, given that the site is located within a highly sustainable location in close proximity to a number of amenities, including the town centre, and that the parking provision will remain unaltered to the existing arrangement, this is not considered to be significantly harmful to warrant a reason for refusal.

Other Considerations

Harwich Town Council objects to the application on the grounds of over development and loss of amenity and parking space.

The above concern has been addressed within the report.

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. 262-01A

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.

Highways

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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