

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	03/12/2019
Planning Development Manager authorisation:	TF	06/12/2019
Admin checks / despatch completed	SB	08/12/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	M	6/12/19

**Application:** 19/01515/FUL **Town / Parish:** Harwich Town Council

**Applicant:** Mr Karl Eastwell

**Address:** 98 Gravel Hill Way Dovercourt Harwich

**Development:** Proposed garage conversion, single storey rear extension with glazed roof lantern and new side window.

### 1. Town / Parish Council

Ms Lucy Ballard, Town Clerk Harwich Town Council  
 Harwich Town Council has no objection to this application.

### 2. Consultation Responses

N/A

### 3. Planning History

99/01262/FUL	Phase II residential development. Plots 29-90, 93-95, 98-124, 142-145, 148-213	Approved	25.05.2000
19/01515/FUL	Proposed garage conversion, single storey rear extension with glazed roof lantern and new side window.	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 County Council Car Parking Standards - Design and Good Practice

### **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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 to the south of Gravel Hill Way within the development boundary of Harwich. It serves a detached two storey dwelling constructed of brick with a tiled roof. The front and south side of the site is laid with tarmac for parking leading to a detached brick garage. The front of the site has gravel with a pathway to the front door. The rear of the host dwelling is mainly laid to lawn with a decked area and close boarding fencing on the boundaries.

### **Proposal**

This application seeks planning permission for a rear extension with a roof lantern, conversion of the existing garage and a window in the ground floor existing east side elevation. The rear extension will measure a maximum depth of 3.3m, 5.7m wide, and will have a flat roof with a maximum height of 2.7m within the flat roof is a proposed roof lantern which will make the overall height 3.2m. The proposed extension will then attach to the garage, the garage will have the garage door removed and replaced with a window.

The proposed materials throughout the proposed development will consist of brick to match the host dwelling.

## Assessment

The main considerations of this application are the design, highway safety 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 rear extension will be publicly visible from Gravel Hill Way, due to the extension connecting to the existing detached garage. Although the development will be publicly visible it will not have any impact upon the street scene as it will be set back from the front boundary by a minimum of 12.7m.

The garage conversion with the change of the existing garage door to a window will be sited to the front and therefore publicly visible however as a result of it being set back from the front of the site and the minor scale of the development proposed the alterations would not appear prominently within the streetscene.

The design of the development overall is considered to be acceptable.

## Highway Safety

The Essex County Council Parking Standards state that where a dwelling comprises of two or more bedrooms that 2 parking spaces should be retained measuring 5.5m by 2.9m, and in exceptional circumstances this can be reduced to 5m by 2.5m. The existing driveway measures 12.7m in depth meaning that there would be sufficient space for two spaces. The proposal will not result in a harmful impact to highway safety.

## Impact on Residential Amenity

The proposed rear extension will be located 0.2m from the shared side boundary line with adjoining neighbour 100 Gravel Hill Way and will be screened by the existing garage from the public footpath to the eastern side. The single storey nature of the extension will ensure there will be no overlooking concerns. The 45 degree test was carried out for completeness the 45 degree line in elevation strikes through the lower part of one of the neighbouring dwellings rear windows and in plan would cover said window. However, this is a secondary window as the main light will come from the patio doors.

The proposed side window within the eastern side of the host dwelling will have views onto the public footpath.

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.

## Other Considerations

Harwich Town Council had no objection to the application.

There has also been one letter of objection received, with the following point. The proposals will restrict light to the neighbouring property.

As mentioned above in my report the impact to light to the neighbouring property is not considered so significant to refuse planning permission upon. This is determined by carrying out the 45 degree test.

### 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. 01 Rev C.

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.

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