

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	WC	05/02/2020
Planning Development Manager authorisation:	TF	06/02/2020
Admin checks / despatch completed	CC	06/02/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	WNE	06/02/2020

Application: 19/01892/FUL **Town / Parish:** Alresford Parish Council

Applicant: Mr and Mrs Findlay

Address: 29 Wivenhoe Road Alresford Colchester

Development: Proposed single storey rear extensions to form kitchen and utility room plus detached store and insertion of window in side gable of house.

1. Town / Parish Council

Alresford Parish Council No objection to this application.

2. Consultation Responses

None.

3. Planning History

78/01595/OUT	Demolition of bungalow and erection of two detached houses	Refused	23.01.1979
79/01053/FUL	Demolition of bungalow and erection of replacement dwelling	Approved	03.10.1979
80/00090/FUL	Demolish existing dwelling and build replacement bungalow	Approved	05.03.1980
19/01892/FUL	Proposed single storey rear extensions to form kitchen and utility room plus detached store and insertion of window in side gable of house.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

NPPG National Planning Policy 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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Proposal

The applicant seeks permission for (1) a single storey side/rear extension measuring 3 metres high (approx.) and 9 metres deep (approx), with flat roof, sited close to the southwest boundary of the site; and (2) an outbuilding (store room) 7 metres in length on the northeast boundary with flat roof and approximately 2.5m in height.

Site Description

Detached red-bricked bungalow on plot diagonal to road within residential area inside the development boundary of Alresford.

Analysis

One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at Paragraph 130 is to always seek to secure high quality design. Saved Policies QL9, QL10 and QL11 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 and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The NPPF, Paragraph 17, states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the

saved plan states that amongst 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 main issues are the design/visual impact, parking and impact on amenities of neighbouring properties.

Design / Visual Impact

The proposed single storey extension stretches from the back of the side gable along the side of the house approximately 9 metres in depth, extending about 4.5 metres beyond the rear of the main body of the house. Matching brickwork is proposed. Although deep, it would not have a significant impact on the street scene or the character of the property, due to its low level height and position at the back of the property.

The proposed outbuilding is low in height (2.5 metres approx.) on the northeast boundary and is also assessed to have no significant impact on the street scene or appearance of the property, due to its scale and location at the back of the property.

Impact on neighbouring amenity

The extension runs close to the southwest boundary shared with No. 33 Wivenhoe Road - a small detached bungalow with side sunroom on a wedge shaped plot. However, the 45 degree line is not broken from any principal windows on the rear of this neighbouring property (the nearest window on the rear is a toilet window), so there would be no adverse loss of light to the rear windows. On the eastern side is a bedroom window opposite the extension, which is the sole bedroom window for that room. Although the extension rises above the boundary fence, stretching a distance of approximately 9 metres, it is not considered to result in an adverse loss of light or outlook to this window or to the sunroom or side of No. 33, because No. 29 immediately east of No. 33 and the extension is significantly lower than the highest part of the original house. Furthermore there is sufficient gap between the properties to allow direct sunlight into the bedroom window and sunroom as the sun moves from east to west in the day. With regard to outlook, the extension would rise well above the height of the 1.8m boundary fence by about 1 metre, being clearly visible from the bedroom window and sun room at No. 33. However a gap of 0.6 metres is retained between the side of the extension and the boundary and it would be possible to construct a side extension opposite the bedroom window with very similar impact under permitted development. With these considerations in mind, it is considered the loss of outlook would not be sufficiently adverse to merit refusal.

Regarding privacy, two proposed side windows are proposed - one in the side of the extension and another in the side of the original gable, however these are not habitable room windows. Nevertheless they should be conditioned to be obscure glazed. With regards to the proposed outbuilding, this is assessed not to cause an adverse loss of light, outlook or privacy, due to its low level height in relation to the boundary fence.

Parking Provision

The proposed drawings show 3 bedrooms. There is a side garage retained and ample space for at least further two parking spaces in the driveway to the side and front of the house, meeting County Council parking standards.

Other considerations:

There is one representation in support of the proposal, with no further comments.

Arlesford Parish Council have no objections.

Conclusion

The proposal is assessed to have no adverse impact on the character of the street scene and no adverse impact on neighbouring properties. Therefore recommended for conditional approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 1 The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason - To comply with the requirements of Section 92 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: 29/WRA/2, received 12th December 2019;

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 The proposed toilet and shower room windows in the south-west elevation of the extension and south-west side gable of the house shall be permanently fitted with obscured glass.

Reason: In the interest of residential amenities of the occupants of the adjacent dwellings.

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