

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	21/04/2020
Planning Development Manager authorisation:	SCE	21/04/2020
Admin checks / despatch completed	CC	22/04/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	LN	22/04/2020

**Application:** 20/00189/FUL **Town / Parish:** Harwich Town Council

**Applicant:** Mr Malcolm Hawkin

**Address:** 44 Seafield Road Dovercourt Harwich

**Development:** Proposed garage.

### **1. Town / Parish Council**

Harwich Town Council  
made no comments.

### **2. Consultation Responses**

Not Applicable.

### **3. Planning History**

07/01498/FUL	Erection of part two storey and part single storey side and rear extensions. Erection of two storey front extension. Erection of front boundary wall and gates.	Withdrawn	15.10.2007
08/00505/FUL	Two storey and single storey extensions to form kitchen, dining area, bedroom and car port.	Refused	22.05.2008
09/00003/FUL	Erection of two storey front and rear extensions, and insertion of three first floor side windows.	Withdrawn	24.02.2009
09/00402/FUL	Erection of two storey front and rear extensions.	Approved	22.06.2009
20/00189/FUL	Proposed garage.	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

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks permission for the erection of a garage.

## Application site

The application site is located to the west of Seafield Road, within the development boundary of Harwich. The site serves a detached two storey dwelling. The exterior walls are constructed from brickwork and cladding with a pitched tiled roof. The front of the site has a paved driveway area to the south side and a stoned area across the front of the property, there is a low wall around the boundary of the site. The surrounding streetscene is comprised of bungalows and two-storey dwellings, material present include brickwork, cladding and hanging tiles with pitched tiled roofs.

## Assessment

### Design and Appearance

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 proposed garage will be attached to the existing dwelling on the south side of the site. It will measure approximately 3.2 metres wide, 9 metres deep and have an overall height of 3 metres. It is considered that the proposal is of a size and scale appropriate to the existing dwelling and will retain adequate private amenity space at the site.

The proposed garage will be constructed using materials matching to those of the existing dwelling, the exterior walls will be of a matching brickwork, the windows and doors will be of white PVCU to match those of the existing. The roof will be of a flat roof design, although this is a differing design to that of the existing roof, flat roof designs are seen within the streetscene, including on the attached garage located on the neighbouring property south of the site, the roof design is therefore considered to be in keeping with the surrounding area. The proposal will be located to the south side of the site and will be visible from the streetscene, due to the matching materials and in keeping size and scale to that of the existing dwelling and surrounding area, the proposal is not considered to have any adverse effects on the visual amenities of the area.

### Impact to Neighbouring Amenities

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 proposed garage is to be built along the south side of the site, at the rear of the neighbouring dwellings located along this boundary. The proposed garage will be largely shielded by the detached garage located along this boundary. The proposal is built away from the boundary lines of other neighbouring dwellings. The proposal is therefore not considered to have any significant impact on the loss of daylight nor privacy, nor cause any other harm to the amenities of the adjacent neighbours.

### Highway Issues

The garage is in line with Essex Parking Standards requirements for a garage to measure 7 metres by 3 metres and is therefore acceptable in terms of highway safety.

### Other considerations

Harwich Town Council have made no objections to the application.

No other letters of representation have been received.

#### Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal 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 plans; Drawing No. 1911.1/0A, Drawing No. 1911.1/4A and Drawing No. 1911.1/5A.

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