

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	7 th May 2020
Planning Development Manager authorisation:	AN	11/05/2020
Admin checks / despatch completed	CC	11/05/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	PW	11/05/20

Application: 19/01913/FUL **Town / Parish:** Harwich Town Council

Applicant: [REDACTED]

Address: 87 Franks Road Dovercourt Harwich

Development: Proposed two storey rear extension, porch, alterations and new vehicular access and parking arrangements.

1. Town / Parish Council

No comments received

2. Consultation Responses

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority. Based on the revised Block Plan the proposal retains adequate room and provision for off street parking and turning, for the proposed extension therefore, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to mitigation and conditions.

3. Planning History

19/01913/FUL	Proposed two storey rear extension, porch, alterations and new vehicular access and parking arrangements.	Current
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4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG14 Side Isolation

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is an imposing detached period dwelling which occupies a prominent corner plot at the junction of Fronks Road and St. Michaels Road. The site has pedestrian-only access from both Fronks Road and St. Michaels Road which leads to a large elevated front garden that wraps around the house. The dwelling is similar in scale, external appearance (being part rendered, part red brick) and design (having very distinct large gables) to a number of dwellings in the locale.

Description of Proposal

The application proposes a part two, part single storey extension to the south elevation, a new porch to the west elevation and alterations to the front garden to provide off-street parking.

The ground floor element of the extension projects 4m from the original wall and occupies the full depth of the dwelling, at a little over 8.2m. The single storey element has a flat roof over with a balustrade around its perimeter that forms a terrace.

The first floor element would be sited in the east corner and project the same depth as the ground floor, occupying around half the length of the ground floor below, at around 4m. The first floor would have a full gable which would match the existing gables to the west elevation and externally it would be finished in render and have a plain tiled roof.

The porch would be sited centrally within the west elevation, be around 2.8 m wide and project approximately 2.4m. Externally it would have a hipped dual pitch roof.

New parallel retaining walls will be constructed around the perimeter of the parking area; the void between would be landscaped. The front garden would be block paved to provide the surface for parking on. A new dropped kerb and footpath crossing with ramped access up to the hardsurface would be formed in the boundary with St. Michaels Road.

Principle

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

Design & Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. 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 scale, siting and design of the additions proposed respect that of the host dwelling; externally both the ground and first floor additions would be finished in red-brick and render to match the existing. Roof tiles would be a plain tile to match the existing roof.

In regards to the orientation of the property; whilst the property's address identifies it as being in Fronks Road, the entrance door faces St. Michaels Road. As such, the part single-part two storey addition to the south elevation could also be considered as a side extension.

The District Planning Authority considers that the side spaces created between buildings are of the utmost importance in areas of medium and low density housing. In such areas, development up to a common side boundary normally appears cramped, often creating an unbalanced terraced effect. Indeed, in many locations even the minimum one metre side isolation space between a dwelling and the side boundary of the site, as specified in the policy, would appear unsatisfactory visually. In such instances larger side isolation space will be required.

A further reason for maintaining an appropriate side isolation space is to ensure that the impact of residential development on the amenities of adjoining residents is of an acceptable level, without new structures or buildings appearing too close and over dominant, or resulting in overlooking and

serious loss of aspect, or daylight. Moreover, if an adjoining plot is undeveloped, to allow buildings up to the common boundary could prevent the satisfactory development of the adjoining site at a later date and prejudice the amenities of future neighbours.

Policy H14 requires that proposals for extensions to dwellings over 4 metres in height, will be required to retain appropriate open space between the dwelling and the side boundaries of the plot to ensure that new development is appropriate in its setting, does not create a cramped appearance, to safeguard the amenities and aspect of adjoining residents and, in the case of undeveloped adjacent plots their satisfactory development at a later stage.

Separation distances to the west boundary are in the region of 15m and the proposed extension does not create a cramped appearance nor does it harm the amenities or aspect of adjoining residents.

Impact to Neighbouring Amenities

The NPPF, at paragraph 127 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 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).

In regards to the adjacent dwelling at No. 87 Fronks Road; the omission of any new first floor windows, separation distances and the scale of the property are such that the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

In regards to the adjacent dwelling at No. 3 St. Michaels Road; the existing south elevation has first floor windows facing towards this neighbour. The proposed addition results in a decrease in the significant separation distances by around 4m, this ensures that the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

Highway Issues

Paragraph 108 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. Saved Policy QL10 of the adopted Tendring District Local Plan 2007 states that planning permission will only be granted, if amongst other things, access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate. These objectives are supported by emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

As initially submitted the plans indicated ramped vehicular access/egress' on to both St. Michael's Road and Fronks Road. Following the consultation response with the Highways Authority, the Fronks Road access was omitted and the gradient of the St. Michael's Road access was confirmed. Based on the revised Block Plan the proposal retains adequate room and provision for off street parking and turning, for the proposed extension therefore, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority.

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: 1907.1, 1907.1/0B, 1907.1/3A, 1907.1/4A, 1907.1/5A, 1907.1/6A, 1907.1/7 and 1907.1/9

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

- 3 Prior to the completion of the extension the internal driveway layout shall be provided in principal with Drawing number 1907.1/0B (Block plan), received 21st April 2020.

Reason - To ensure that vehicles using the revised internal layout do so in a controlled manner, in the interests of highway safety.

- 4 Prior to the completion of the extension a vehicular turning facility, of a design provided in principal with proposed drawing no. 1907.1/0B to be previously approved in writing by the Local Planning Authority shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason - To ensure that vehicles can enter and leave the highway in a forward gear and to ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interest of highway safety.

- 5 Prior to completion of the extension the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be more than 4.5 metres (5 low kerbs), shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge.

Reason - to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.

- 6 There shall be no discharge of surface water onto the Highway.

Reason - To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

- 7 As per block plan drawing no. 1907.1/0B, the redundant vehicle access within St Michael's Road shall be suitably and permanently closed incorporating the reinstatement to full height of the highway verge / footway / kerbing immediately the proposed new access is brought into first beneficial use.

Reason - To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

- 8 The Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first occupation and retained at all times.

Reason - To ensure appropriate cycle parking is provided in the interest of highway safety.

- 9 Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason - To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.

8. Informatives

Application Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

On the completion of the dwelling, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

Steps should be taken to ensure that the Developer provides enough turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

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

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO