

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	22/06/2020
Planning Development Manager authorisation:	TF	24/06/2020
Admin checks / despatch completed	CC	24/06/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	24/06/2020

Application: 20/00549/FUL **Town / Parish:** Harwich Town Council

Applicant: Chris Rust

Address: 40 Artillery Drive Dovercourt Harwich

Development: Proposed single storey side extension utilising space under croft and garage.

1. Town / Parish Council

n/a

2. Consultation Responses

n/a

3. Planning History

93/00135/OUT	Proposed residential development including the provision of a private temporary underground sewage treatment plant (plant to be removed on completion of AWSL'S new sewage treatment works)	Approved	14.09.1993
96/00862/FUL	Application to vary condition 9 attached to the schedule of the outline planning permission reference TEN/93/0135 granted 14.9.1993 to not permit occupation of dwellings until such time as the clearwater sewage treatment is operational.	Refused	20.08.1996
96/00863/FUL	Application to vary condition 02 attached to Schedule 2 of the outline planning consent reference TEN/93/0135 granted 14th September 1993 to extend the period for submission of reserved matters by a further three years	Approved	20.08.1996
98/00127/FUL	Application to vary condition 9 attached to the schedule of the outline planning permission reference TEN/93/0135 granted 14 September 1993 to not permit occupation of dwellings until such time as the Clearwater sewage is	Approved	14.07.1998

	operational		
99/01070/FUL	Application to vary Condition 01 attached to Schedule 2 of planning consent TEN/96/0863 granted on 20th August 1996 to extend the period for submission of reserved matters by a further three years until 14th September 2002	Approved	01.09.1999
99/01675/DETAIL	Proposed residential development. Estate roads and ancillary works.	Approved	17.02.2000
17/02126/HHPNO T	Single storey rear extension, 3m depth and 3.838m height.	Approved	
18/00209/HHPNO T	Single storey rear extension, 3.05m depth and 3.838m height.	Approved	16.03.2018
20/30017/PREAPP	Proposed single storey side extension and move garage under car port.		02.03.2020
20/00549/FUL	Proposed single storey side extension utilising space under croft and 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

HG9 Private Amenity Space

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

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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including

Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities ‘Garden Communities’ proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector’s advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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

Proposal

The application seeks permission for a single storey side extension that also encloses the existing undercroft to create a new garage. The host dwelling is a link detached brick, render and weather boarded house located within the development boundary of Harwich.

Permission was granted under 18/00209/HHPNOT, a householder prior notification for a single storey rear extension. The proposed single storey side extension would join the single storey rear extension and fill in the gap created by the existing garage and the new proposed garage which will lie beneath the undercroft.

Other alterations are shown on the submitted plans but do not form part of this application. The removal of the lower section of the chimney is not considered development in this case. The conversion of the existing garage into living accommodation and the block paving of the area in front of the house are considered permitted development.

Design and Appearance

The single storey side extension would have a GRP flat roof with a maximum height of 2.8 metres with two roof lights to allow light into the new area. The new garage and extension will be finished in brickwork to match the house with a traditional garage door facing Artillery Drive. The proposal will only be partially visible from the front of the property and therefore there would be no material harm to the street scene. The design and scale of the proposal is acceptable and would result in no material harm to visual amenity.

Impact upon residential amenity

The proposed side extension and new garage wall will be built to the western side boundary shared with 38 Artillery Drive. Due to the position and scale of the proposed extension there will not be any significant harm to this neighbour in terms of loss of light, loss of privacy or outlook.

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 100 square metres of private amenity space for a property with three or more bedrooms. The construction of the proposal would reduce the private amenity space to 76 square metres. Although the standard is not met, in view of the shape of the garden, it remains a very usable space. On balance the reduction in private amenity space below the required minimum is acceptable in this case and does not have a significantly harmful impact.

The existing detached garage, proposed for conversion to living accommodation does not meet the parking standards where a single garage should measure 7 metres x 3 metres. The proposed garage beneath the undercroft also fails to meet the recommended standard for a single garage.

However the proposal to hard surface or block pave the area in front of the house ensures that there will be sufficient parking for two cars to park off the road, in front of the house and on the existing drive in spaces that meet the parking standards where one space measures 5.5 metres x 2.9 metres.

Other Considerations

No letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 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. CR-2020-01P, CR-2020-02P and CR-2020-03P.

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.

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