

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	27 th July 2020
Planning Development Manager authorisation:	AN	30/07/2020
Admin checks / despatch completed	CC	31.07.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	31.07.2020

Application: 20/00615/FUL **Town / Parish:** Harwich Town Council

Applicant: Mr Stephan Tate

Address: 21 Waddesdon Road Dovercourt Harwich

Development: Proposed two storey rear extension and single storey side extension.

1. Town / Parish Council

Ms Lucy Ballard,
Town Clerk
Harwich Town Council
03.07.2020

Comments made below are not the comments from Harwich Town Council's Planning Committee but are comments of individual councillors.

Cllr S Richardson commented that there seems very little space for the proposed extension.

2. Consultation Responses

No comments received

3. Planning History

20/00615/FUL Proposed two storey rear extension Current and single storey side extension.

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

QL6 Urban Regeneration Areas

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

PP14 Priority Areas for Regeneration

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is situated almost centrally within a long terrace of 22 Victorian dwellings; it has a north-east facing rear garden. Development is high density, as would be expected from this era.

Description of Proposal

The application proposed replaces the existing single-storey rear projection with a two-storey rear projection on the same footprint, the ground floor then opens up to a single-storey wrap around extension around the north corner.

The original projection occupies a footprint of 1.8m deep by a little under 3m wide, the eaves of the first floor would be at around 5m and the mono-pitched ridge would be around 6.9m. The ground floor wrap-around would, internally, be read as one building operation; however it extends beyond the original flank wall by 1.5m and returns back towards the main dwelling for a depth of 3.5m. The footprint does not extend the full depth of the original rear two-storey rear gable, finishing just short of 1.4m before – thereby creating a small courtyard outside the kitchen for bin-storage.

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 proposal is sited to the rear of the existing dwelling and, due to the high density of housing in the locale, limited views in the public domain from adjacent road would be likely and the character of the wider streetscene would not be materially damaged by the proposal. The additions would be constructed in materials which match the host dwelling and the roofline of the proposed first floor matches that of the existing gable and the proposed extensions respect the character and appearance of the host dwelling in regards to its scale and design.

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).

The proposal does not have any first floor-side facing windows and whilst the proposal is sited to the north/east of the adjacent neighbour at No. 23 the first floor of the two-storey element is only 1.8m deep and the dwellings are separated by a 1m-wide alley that runs between the dwellings. For these reasons 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.

The proposal would result in an additional bedroom, however is as the case with this era of dwellings, no off-street parking provision is available in any event.

Other Considerations

No contributions have been received from the seven adjacent properties.

Cllr S Richardson commented that there seems very little space for the proposed extension. In response to this; the existing dwelling already has a very small rear garden and the application proposes development which would further reduce the private outdoor amenity space. The Council is keen not to interfere in decisions of personal choice as to how a rear amenity space is used - whether for additional accommodation or as outdoor amenity. However, equally, it has a duty to ensure a wide variety of good quality housing is available. In some isolated cases, extended dwellings may result in very small gardens. Although future occupiers may consider such an arrangement an unsatisfactory living environment, these cases are very limited in number and thus substantial numbers of alternatives will remain. Some people may specifically choose a dwelling because it has a small garden. The Council does not propose to include an absolute minimum garden size where extensions are proposed to dwellings erected prior to, or not in accordance with, these standards. As already indicated, other factors such as impact on neighbours, or size and scale, will provide effective limitations to prevent harm being otherwise caused.

Conclusion

For the reasons set out above, the proposal is considered to represent a sustainable form of development in a location supported by national and local plan policy that will not result in any material environmental or residential harm that warrants refusal of planning permission.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Approval

- 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:- 02, received 18th May 2020.

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

- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows shall be inserted in the north-west or south-east elevations of the first floor extension except in accordance with details which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - In the interests of the amenities of the occupants of neighbouring property.

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?		NO
Are there any third parties to be informed of the decision?		NO