

**DELEGATED DECISION OFFICER REPORT**

<b>AUTHORISATION</b>	<b>INITIALS</b>	<b>DATE</b>
File completed and officer recommendation:	AP	24/08/2020
Planning Development Manager authorisation:	AN	24/08/2020
Admin checks / despatch completed	DB	24.08.20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	24.08.2020

**Application:** 20/00840/FUL **Town / Parish:** Great Oakley Parish Council  
**Applicant:** Mrs Barbara Page  
**Address:** 23 Hamford Drive Great Oakley Harwich  
**Development:** Proposed single storey side extension.

**1. Town / Parish Council**

Great Oakley Parish Council  
 Supports application  
 28.07.2020

**2. Consultation Responses**

n/a

**3. Planning History**

DP/V/9D(77)	Unauthorised felling of conifer trees	Current	26.05.2000
98/00989/FUL	Erection of conservatory to rear elevation	Approved	03.09.1998
19/30206/PREAPP	Proposed side extension.	Approved	
20/30021/PREAPP	Proposed removal of half of existing garage and rebuilding further back to facilitate a toilet and shower including extension of timber frame and insulated roof, including knocking through into house.		09.03.2020
20/00840/FUL	Proposed single storey side extension.	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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

This application seeks permission for a single storey rear and side extension which adjoins the existing conservatory following demolition of the existing detached single garage. The semi-detached house of 26 Hamford Drive is located within development boundary of Great Oakley.

### Design and Appearance

The proposal is set back from the front elevation of the existing dwelling by 7.2 metres and extends from the side elevation by just 1.35 metres. The extension will be glimpsed between the neighbouring houses when passing along Hamford Drive however due to its low level form with a flat roof there will be no significant impact to the street scene. The extension will be finished externally in Hardiplank horizontal cladding with a modern flat roof. The conservatory roof will be replaced, shaped as a fan with the highest point joining the rear elevation of the existing dwelling and the flat roof of the proposed extension. The fan shaped conservatory roof will not increase the height of the conservatory but will improve how the existing structure joins with the new. The design and scale of the proposal is acceptable and would result in no material harm to visual amenity.

### Impact upon Residential Amenity

There is a distance of 0.9 metres to the north western side boundary shared with 24 Hamford Drive. The dwelling of 24 Hamford Drive is set further forward than the host dwelling and so the sunlight/daylight calculations specified in the Essex Design Guide have been applied. The 45 degree line does intercept all the windows on the rear elevation in plan down, although the 45 degree line from the roof of the single storey extension would not intercept any windows at 24 Hamford Drive in elevation therefore the loss of light that the proposal will cause is not considered so significant as to justify refusing planning permission on these grounds. In addition consideration is given to the position of the detached garage which is to be removed prior to construction of the proposal which is against the same north western side boundary.

The changes to the conservatory roof will have no significant impact in terms of loss of light to the neighbour at 28 Hamford Drive and neither immediate neighbour will be significantly impacted in terms of outlook or loss of privacy due to the single storey nature of the proposal.

Although the detached single garage will be lost this did not meet the current parking standards where a single garage should measure 7 metres x 3 metres internally. There is sufficient off road car parking in front of the house on a block paved driveway and more than 200 square metres of private amenity space remains which is considered more than adequate.

### Other Considerations

Great Oakley Parish Council supports the application.

No other 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: Dwg No. 273/PL/03 Rev No. A and 273/PL/04 Rev No. A.

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.

<p><b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b></p>	<p>YES</p>	<p>NO</p>
<p><b>Are there any third parties to be informed of the decision? If so, please specify:</b></p>	<p>YES</p>	<p>NO</p>