

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	24/08/2020
Planning Development Manager authorisation:	AN	25/08/2020
Admin checks / despatch completed	CC	26.08.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	26/08/2020

Application: 20/00716/FUL **Town / Parish:** Weeley Parish Council
Applicant: Mr & Mrs M Farnworth
Address: 10 Second Avenue Weeley Clacton On Sea
Development: Proposed roof dormer/loft conversion.

1. Town / Parish Council

Weeley Parish Council
21.07.2020

Weeley Parish Council does not object to this application

2. Consultation Responses

n/a

3. Planning History

20/00716/FUL Proposed roof dormer/loft conversion. 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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 loft conversion with rear dormer in addition to a new roof lantern on the existing flat roof single storey element of the semi-detached bungalow of 10 Second Avenue located within the development boundary of Weeley.

Other alterations are shown on the submitted plans and are either not considered as development or meet the relevant permitted development criteria as follows:

Removal of the chimney – not considered development

Render finish to the existing side gable and single storey element - meets the criteria of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A. The history of the property has been checked and the permitted development rights are intact.

Design and Appearance

Two roof lights will be inserted into the front roof slope and one on the rear roof slope. The rear roof slope will also accommodate a large dormer which will have a flat roof and be finished in hanging tiles which closely match the existing roof tiles. The dormer is set in from the western side elevation by 1.5 metres and will not be prominently visible from Second Avenue ensuring there will be no significant impact to the street scene. Roof lights and rear dormers of differing sizes and finish are evident on neighbouring properties with this proposal seeking to blend the addition more seamlessly with the existing roof. Evaluation of the roof lights and dormer, with a volume of just under 20 cubic metres, on the roof of the existing dwelling would allow this part of the proposal to be built without the need for planning permission as it meets Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The proposed roof lantern projects upwards 0.8 metres from the flat roof of the existing single storey element at the rear, however it will not be seen from Second Avenue and will not be visually prominent from the rear.

Impact upon Residential Amenity

The proposed dormer to the rear of the property will overlook the gardens of 8 and 12 Second Avenue. A bedroom and an en suite will be created in the roof space so these rooms are not considered to be habitable rooms during the day, reducing the risk of overlooking. The dormers will

not have a significant impact in terms of loss of light to either neighbour. Notwithstanding the risk of overlooking from the dormer windows, permitted development rights allow the dormer to be constructed without the need for planning permission.

The roof lantern will not cause any significant loss of light, privacy or overlooking to any neighbouring properties.

There will be no changes to the existing private amenity space to the rear and the off road parking provision in front of the bungalow allows for two cars to park on the driveway.

Other Considerations

Weeley Parish Council does not object to the application.

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: File: 03 Proposed Ground Floor, 04A Proposed First Floor, 05A Proposed Elevations, 06A Site Plan and 08A Existing and Proposed Section.

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?	YES	NO

If so, please specify:		
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