

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	23/09/2020
Planning Development Manager authorisation:	SCE	23.09.2020
Admin checks / despatch completed	DB	30/09/20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	30/09/2020

Application: 20/00951/FUL **Town / Parish:** Harwich Town Council

Applicant: Martin Warnes

Address: 53 Stour Close Harwich Essex

Development: Proposed single storey rear and side extension and new porch to front.

1. Town / Parish Council

Ms Lucy Ballard, Town
Clerk Harwich Town Council
02.09.2020

Harwich Town Council has no objection to this application.

2. Consultation Responses

Building Control and
Access Officer
14.08.2020

No adverse comments at this time.

3. Planning History

01/01587/FUL	Residential development of 53 houses with associated infrastructure		31.12.2002
01/01867/FUL	Non-compliance with conditions 10, 12, 14 and 15 of consent 99/01478/OUT to allow residential development of site solely with access via Stour Close	Refused	27.03.2002
90/00900/FUL	Development of an estate road and 50 houses	Approved	11.12.1991
92/00623/FUL	(Land adjoining and to the north of Stour Close, Ramsey) The provision of an access road to permitted housing development	Refused	25.08.1992
93/00505/FUL	(Valley Road, Dovercourt) Development of an estate road and 50 houses [renewal of planning permissions TEN/951/88 and	Approved	13.07.1993

TEN/90/0900]

94/00026/FUL	(Land North of Stour Close, Ramsey) Provision of access road (at variation with condition 3 of permission TEN/92/0623)	Refused	29.03.1994
94/01067/FUL	(Land North of Stour Close, Ramsey) Variation of Condition 3 of permission TEN/92/0623 (relating to provision of access road for residential development)	Approved	15.11.1994
95/00420/FUL	(Valley Road, Dovercourt) Relocation of nine dwellings to accommodate introduction of approved access road	Approved	09.06.1995
99/01478/OUT	Residential Development		17.08.2000
02/01937/FUL	Non-compliance with conditions 10, 12, 14, & 15 of consent 99/01478/OUT to allow residential development of site solely with access via Stour Close.	Refused	03.12.2002
02/02060/OUT	Residential development - variation of outline consent condition (02a) to extend time limit for application for approval of reserved matters by three years	Refused	13.02.2003
03/01085/DETAIL	Residential Development	Approved	15.10.2003
03/02461/DETAIL	Residential development	Approved	10.03.2004
19/30143/PREAPP	Proposed single storey side extension.	Approved	
20/00951/FUL	Proposed single storey rear and side extension and new porch to front.	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)

SP1 Presumption in Favour of Sustainable Development

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 (including Site Description and Proposal)

Proposal

This application seeks permission for the erection of a single storey rear and side extension and a new porch to front.

Application Site

The site is located to the east of 'Stour Close', within the Development Boundary of Harwich. The site serves a detached 2.5 storey dwelling finished in brickwork and render with a pitched tiled roof. The surrounding streetscene is comprised from dwellings of a similar size and design.

Assessment

Design and Appearance

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 proposed rear and side extension will form an 'L' shape around the rear corner of the dwelling on the south side. The proposed side extension will measure 2.7 metres wide by 7.8 metres deep, where it meets with the rear extension to measure 8.2 metres wide by 2.5 metres deep, it will have a maximum height of 3.7 metres high (including the height of the rooflights, and 3.1 metres high without).

The proposed new porch to the front of the will be located to the north of the dwelling, it will measure 2 metres wide by 1.5 metres deep and have an overall height of 3.4 metres.

The proposed development is considered to be of a size and scale appropriate to the existing dwelling and surrounding area. The site can accommodate for a proposal of this size and scale whilst still retaining adequate private amenity space.

The proposal will be constructed using timber / Hardiplank cladding for the exterior walls. Although this is introducing a new material to the host dwelling cladding can be seen within the streetscene and is deemed a traditional material that is widely used in construction, it is therefore deemed to be an acceptable material for use in this instance. The proposed side and rear extension will have a flat roof design finished in single ply membrane or fibreglass, the proposed extension will not be visible to the streetscene and is considered to be of a design in keeping with the host dwelling. The proposed porch will be located to the front of the dwelling and will be visible to the streetscene, it is considered to be of a design in keeping with the existing dwelling and surrounding area. The proposed development will not have an adverse effect on the visual amenities of the area.

Impact to Neighbouring Amenities

The NPPF, Paragraph 17, 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 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 proposed porch is deemed to be of a minor nature and will not have any harmful nor significant impact to the amenities of the adjacent neighbours.

The proposed rear and side extension is located 0.6 metres from the boundary line south of the site, this line backs onto the rear of the adjacent neighbours and will be largely shielded by the existing 3.3 metres high wall along this boundary. Due the neighbouring and host dwellings siting on their sites the proposed extension is located away from the neighbouring dwellings and will not have any significant impact on the loss of light to the adjacent neighbours. The proposal is also of a single storey nature and will therefore not pose a significant threat of overlooking nor loss of privacy.

The proposed development is therefore not considered to have any significant nor harmful impact to the amenities of the adjacent neighbours.

Highway issues

The proposal neither generates an additional need for parking nor decreases the existing parking provision at the site.

Other Considerations

Harwich Town Council has no objection to this proposal.

Building Control have no adverse comments at this time.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

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 plan; Drawing No. 269/PL/05, Drawing No. 269/PL/03 Rev A, and Drawing No. PL/04/ Rev 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.

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