

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	14/10/2020
Planning Development Manager authorisation:	SCE	20.10.2020
Admin checks / despatch completed	CC	20.10.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	20.10.2020

Application: 20/01102/FUL **Town / Parish:** Harwich Town Council

Applicant: Mr & Mrs C Hill

Address: 8 Bramble Tye Dovercourt Harwich

Development: Proposed loft conversion including cropped hip to gable alteration,
construction of rear dormer and front facing roof lights.

1. Town / Parish Council

Ms Lucy Ballard, Town
Clerk Harwich Town
Council
29.09.2020

Harwich Town Council has no objection to this application.

2. Consultation Responses

Not Applicable

3. Planning History

01/01009/FUL	Demolition of existing buildings and tanks: Erection of 12 No. new dwellings.	Approved	23.08.2001
99/01736/OUT	Proposed residential development	Approved	31.05.2000
20/01102/FUL	Proposed loft conversion including cropped hip to gable alteration, construction of rear dormer and front facing roof lights.	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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 a loft conversion including cropped hip to gable alteration, construction of rear dormer and front facing roof lights.

Application Site

The site is located to the north of Bramble Tye, within the development boundary of Harwich. The site serves a two storey detached dwelling finished in painted render, Cladding and brickwork, with a tiled roof. There is a detached garage located to the west of the site. The surrounding streetscene is comprised from dwellings of a similar appearance and materials.

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.

Hip to Gable Alteration

The hip to gable alteration will not increase the overall height of the existing roof and will continue the existing roofline preventing the alteration from dominating the existing dwelling.

The proposal will be finished using a matching roof tile to that of the existing and so will not have a harmful visual impact on the area.

The proposed hip to gable alteration is considered to be of a design and appearance in keeping with the existing dwelling and surrounding streetscene.

Rear Dormer

Whilst the rear dormers would normally constitute as permitted development, the permitted development rights of the site have been removed by way of Condition 5 of Planning Application 01/01009/FUL which reads as follows;

"5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995, no dormer window or other form of addition or opening shall be constructed in the roof of the buildings hereby without express planning permission.

Reason; in order to ensure a satisfactory development in terms of visual amenity and privacy."

The proposed rear dormer will not be visible from Bramble Tye.

The rear dormer will measure 2.1 metres high, 2.6 metres deep and 7.4 metres wide. The dormer is considered to be of a size appropriate to the existing dwelling. The dormer walls will be finished in Cedral cladding to match that of the existing dwelling. The proposed rear dormer is therefore considered to be of a size and design in keeping with the existing dwelling.

Roof Lights

The proposed 2 roof lights will be located to the front of the dwelling and therefore visible to the streetscene. They are not thought that have any adverse impact 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 neighbouring dwellings of the site are currently already overlooked by the host dwelling, the proposed dormers will further add to this resulting in a loss of privacy to the adjacent neighbours. However, any views obtained by the proposed dormers will be of the adjacent neighbouring gardens and are not thought to be significantly different from the existing views from the rear of the host dwelling.

As a result of the properties already being overlooked by the existing dwelling and the limited views of the neighbouring sites it is considered the level of privacy lost in this instance is not so significant to justify refusing planning permission.

With regards to the proposed hip to gable alteration guidelines set out within the Essex Design Guide have been applied to assess whether the proposal will result in a loss of light to the neighbouring dwellings. The proposal does not have any more of a significant impact to the loss of light to the adjacent neighbours than already present.

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 the proposal.

No other letters of representation have been received.

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 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 plans

Drawing Number 2274-01

Drawing Number 2274-03

Drawing Number 2274-04

Drawing Number 2274-05

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