

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	03/03/2021
Planning Development Manager authorisation:	TF	04/03/2021
Admin checks / despatch completed	DB	04.03.2021
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**Application:** 21/00103/FUL **Town / Parish:** Harwich Town Council

**Applicant:** Mr and Mrs Taylor

**Address:** 43 Ramsey Road Dovercourt Harwich

**Development:** Proposed front extension.

### **1. Town / Parish Council**

Harwich Town Council  
19.02.2021

No objection to this planning application.

### **2. Consultation Responses**

ECC Highways Dept  
11.02.2021

The information that was submitted in association with the application has been fully considered by the Highway Authority. Due to the current COVID-19 restrictions no site visit was undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material and google image dated Sept. 2016. It is noted that the 3-bedroom dwelling has a shared vehicle access with the adjacent property and appears to have off-street parking for two vehicles currently.

From a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons:

1. As far as can be determined from the submitted plans the proposed extension would extend out by approximately 1.6 metres and would result in the current off- street parking provision for the dwelling being reduced to one space. The existing shared vehicle access and area in between the two dwellings is of insufficient width to accommodate a parked car or allow access to and from a vehicle.
2. The Parking Standards Design and Good Practice September 2009, recommends minimum parking provision levels for residential properties, (two spaces would be recommended) for a dwelling of this size.
3. The proposal if permitted would set a precedent for similar applications which could in time lead to inappropriate parking detrimental to the general safety of all highway users and undermine the principle of seeking to discourage on-street parking in the locality.

The proposal is therefore contrary to policy DM1 and DM8 contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

### **3. Planning History**

21/00103/FUL          Proposed front 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  
TR1A Development Affecting Highways  
TR7 Vehicle Parking at New Development

*Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)*

SPL3 Sustainable Design

*Local Planning Guidance*

*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. In this latter regard, as of 26<sup>th</sup> January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10<sup>th</sup> December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26<sup>th</sup> January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Application Site

The application site comprises of a two storey semi detached dwelling with driveway to the front. The application dwelling and its immediate neighbours are set back from Ramsey Road with a grass verge in-between the row of houses and main highway.

### Proposal

This application seeks permission for the erection of a proposed front extension.

### Assessment

#### Design and Appearance

The National Planning Policy Framework attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Saved Policy QL9 states that all new development should make a positive contribution to the quality of the local environment, new buildings must be well designed and maintain local character, and development must relate well to its site and surroundings particularly in relation to its scale, massing, form and design. These sentiments are carried forward in Draft Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The area is characterised by two storey semi-detached dwellings with parking to the front. The built form is dense in this section of Ramsey Road due to the presence of nearby shops and facilities. Many of these houses have narrow plots with front driveways, with plot widths steadily increasing away from this central location. Many of these dwellings are uniform in design with some previously having erected small front porches to the front.

The existing house itself has an existing front two storey bay window feature and pitched roof design, with a hipped roof extending over the remainder of the house. The plans show that the proposal will result in a bedroom extension and porch protruding beyond the front elevation of the front wall by 1.6m. The plans also show that the proposed extension will have a pitched roof design with a forward facing gable which will be narrower in width compared to the existing front bay window feature. The eaves of the proposal will also appear to overlap when viewing the house from the public highway.

It is noted that there are a small selection of properties which already benefit from single storey front enlargements however these are single storey in design and not considered to have a significant harmful impact in terms of design.

The nearby property of 51 Ramsey Road has previously received planning permission (01/01924/FUL) for a two storey front extension however there are a number of differences between that proposal and this application. Firstly it is a wider plot, and the proposal also included a two storey side extension and secondly No. 51 did not already have a gabled feature on the front elevation. It is therefore considered that this extension does not create a precedent for development on the application site.

The proposal will be sited to the front and comprise of a two storey design which would appear as a prominent and noticeable feature from Ramsey Road.

Due to the narrow width of the proposed extension it is considered that the proposal would appear out of character to the main dwelling and an incongruous feature within the street scene. It is therefore considered that as the impact of such a proposal would infringe upon the existing appearance of the host dwelling as well as street scene that it would not comply with the requirements of the NPPF and aforementioned policies.

#### Highway Safety

The Essex County Council Parking Standards state that where a dwelling comprises of two or more bedrooms that 2no parking spaces should be retained at the site measuring 5.5m by 2.9m per space. These standards also state that garages should measure 7m by 3m internally.

The existing dwelling currently benefits from a shared access with the neighbouring dwelling and has an area to the front which measures approximately 6m by 5.5m providing the necessary parking provision for two vehicles in line with the aforementioned requirements.

The plans show that the proposed extension will protrude into this front space by 1.6m which would allow for the retention of one space measuring 5.5m by 2.9m and room for the proposal. The area left for the second parking space however would be significantly decreased in size and would not meet the requirements set out in the highway standards resulting in a deficit of sufficient parking at the site.

It is noted that whilst other properties within the immediate vicinity have previously erected single storey front porches to their front elevations which has had a similar impact of decreased parking resulting in occupants parking along Ramsey Road many of these have not applied for planning permission or may have been carried out under the allowances of permitted development and therefore parking considerations under planning have not been required.

A nearby dwelling of 51 Ramsey Road has previously obtained planning permission for a front extension under reference number 01/01924/FUL. However, this dwelling is set on a wider plot and therefore has a larger frontage which had sufficient space to support the proposal and two parking spaces to the relevant standards.

It is also likely that should the proposal be allowed that a precedent would be set for similar applications which could in time lead to inappropriate parking detrimental to the general safety of all highway users and undermine the principle of seeking to discourage on-street parking in the locality.

The site benefits from an existing garage sited to the rear of the house which currently measures under the requirements stated above. This garage is also accessed via a shared driveway and is therefore unable to be used as space for the parking of vehicles.

Essex County Council Highways have commented on the application opposing the scheme for the same reasons listed above and as it is contrary to Highway Authority's Development Management Policies.

The proposal is therefore considered contrary to highway safety.

#### Impact to neighbours

As a result of its nature and siting away from the neighbouring dwellings it is considered that the proposal would not result in a significant impact to residential amenities of the nearby properties in terms of loss of light, outlook or privacy.

#### Other Considerations

Harwich Town Council have no objection to the proposal.  
There have been no letters of representation received.

#### Conclusion

The proposed development by virtue of its design and siting will result in an incongruous form of development to the main dwelling, detrimental to visual amenity and the overall character of the area contrary to the aforementioned national and local policies. The proposal will also result in a

significant deficient to off street parking contravening the ECC Highways Standards and contravening highway safety. The application is therefore recommended for refusal.

## **6. Recommendation**

Refusal - Full

## **7. Reasons for Refusal**

- 1 The National Planning Policy Framework attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Saved Policy QL9 states that all new development should make a positive contribution to the quality of the local environment, new buildings must be well designed and maintain local character, and development must relate well to its site and surroundings particularly in relation to its scale, massing, form and design. These sentiments are carried forward in Draft Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The existing house itself has an existing front two storey bay window feature and pitched roof design, with a hipped roof extending over the remainder of the house. The plans show that the proposal will result in a bedroom extension and porch protruding beyond the front elevation of the front wall by 1.6m. The plans also show that the proposed extension will have a pitched roof design with a forward facing gable which will be narrower in width compared to the existing front bay window feature. The eaves of the proposal will also appear to overlap within the streetscene.

Due to the narrow width of the proposed extension it is considered that the proposal would appear out of character to the main dwelling and an incongruous feature within the street scene. It is therefore considered that as the impact of such a proposal would infringe upon the existing appearance of the host dwelling as well as streetscene that it would not comply with the requirements of the NPPF and aforementioned policies.

- 2 The Essex County Council Parking Standards state that where a dwelling comprises of two or more bedrooms that 2no parking spaces should be retained at the site measuring 5.5m by 2.9m per space. These standards also request that garages should measure 3m by 7m.

The existing dwelling currently benefits from a shared access with the neighbouring dwelling and has an area to the front which measures approximately 6m by 5.5m providing the necessary parking provision for two vehicles in line with the aforementioned requirements.

The plans show that the proposed extension will protrude into this front space by 1.6m which would allow for the retention of one space measuring 5.5m by 2.9m and room for the proposal. The area left for the second parking space however would be significantly decreased in size and would not meet the requirements set out in the highway standards resulting in a deficit of sufficient parking at the site.

The deficit in parking at the site by one space would result in occupants parking on the highway contravening highway safety as well as local policy and guidance.

## **8. Informatives**

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.