

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	07/05/2021
Planning Development Manager authorisation:	SCE	11.05.2021
Admin checks / despatch completed	ER	12/05/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	12.05.2021

Application: 21/00507/FUL **Town / Parish:** Harwich Town Council

Applicant: Mr John White

Address: 69 Devon Way Dovercourt Harwich

Development: Proposed single storey front extension.

1. Town / Parish Council

Harwich Town Council
29.04.2021

Harwich Town Council objects to this application on the grounds of overdevelopment and loss of light to the adjoining property.

2. Consultation Responses

Not applicable

3. Planning History

21/00507/FUL Proposed single storey front extension. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)
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) (Section 1 adopted on 26th January 2021)
SPL3 Sustainable Design

Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice
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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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. In this latter regard, as of 26th 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 10th 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 26th 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 semi-detached bungalow type house with driveway and garage. The existing house is constructed from brick and is set back from the front of the site. The existing house has a small existing porch and there is also a low boundary wall in situ along the front boundary.

The immediate area consists of predominantly semi-detached bungalows with many already benefiting from front extensions varying in size and design.

Proposal

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

Representations

Harwich Town Council has objected to the proposal on the following grounds;

- Loss of Light to neighbouring property.
- Over Development of Site.

There have been 2 letters of objection also received raising the following concerns;

- Impact of proposal to appearance of dwelling.
- Impact of proposal to the character of the area, all other extensions are to the rear.
- Will set a persistent for the area
- Loss of light to neighbour.
- Loss of Outlook to neighbour.
- Concerns over rainwater on neighbouring site.
- Concerns over the proposals design.

The below report will address the comments and concerns raised above.

Assessment

Design and Appearance

The area comprises of predominantly bungalow typed dwellings in brick construction with adjacent driveways. Many of these surrounding properties have set a precedent for development in the area by erecting small front extensions and porches which vary in design and appearance.

The proposal will be sited to the front and will result in a change of character and appearance of the existing house. As stated above other properties within the area have previously erected front enlargements which supports the principle of development at the site.

The proposed extension will be single storey in design and will be set back from the front boundary which will reduce its prominence within the streetscene and allow it to appear as a subservient addition in relation to the main house. It is also noted that the proposal will be lower in height to the main house further preventing it from over dominating the existing dwelling.

The existing layout of the house results in part of it protruding forward of the front elevation connecting to the house via a hipped roof element. The proposal will match this hipped roof design and will be finished in materials that match the existing house allowing it to appear consistent with the host dwelling.

Some of the comments raised above raise concerns over a precedent which would be set for the area in terms of front enlargements however as many of these dwellings have already erected front extensions it is considered that this has already been set by other properties prior to this application. As a result of surrounding development within the area and the proposals scale and design it is considered that the proposal would not result in a detrimental impact to the overall appearance and character of the existing dwelling or locality.

Highway Safety

The Essex county Council Parking Standards request that where a house comprises of two or more bedrooms that 2no parking spaces should be retained at the site measuring 5.5m by 2.9m. Whilst the proposal will encroach upon the existing front of the site the existing driveway is of a large enough size to accommodate the proposal and two off street parking spaces in line with the above requirements.

The proposal will therefore not contravene highway safety.

Impact on Neighbours

The proposal will be screened by the host dwelling and therefore not visible to 71 Devon Way. The proposal will be visible to 67 Devon Way and most noticeably from this neighbours nearest window.

The extension will incorporate a hipped roof design and its wall will be set off of this boundary by 0.16m which will reduce the impact to 67 Devon Way. The properties are orientated so that receive the majority of sunlight in their rear gardens however for the purposes of completeness the Sunlight/ daylight calculations from the Essex Design Guide have been applied to the plans and whilst the 45 degree line in plan would strike through the centre of the window this would not be the case for the 45 degree line in elevation which would only strike through the lower half of it. It is therefore concluded that whilst the proposal will result in a loss of light and outlook to this neighbour as a result of its design and compliance with the above tests this loss would not be so significant to warrant the refusal of the planning application.

The comments raised above from the neighbours raise concerns over the loss of outlook from the nearest window which at present they have stated serves a bedroom. The proposal will infringe some of these views however views will still be achievable looking out onto Devon Way. The proposal will also have a hipped roof design and shallow depth of 2.2m which will soften its impact to this neighbour. It is therefore considered that on balance that the proposal would not result in such a significant impact in terms of outlook to this neighbour to refuse planning permission upon.

It is also noted that comments have been raised about concerns over rainwater onto to this neighbours site. The plans show that all aspects of the proposal will be erected within the site of 69 Devon Way. It is advised that this concern should be addressed as a civil matter between the applicants and neighbour and cannot be dealt with as a material planning consideration.

The proposal is single storey design which is absent from side facing windows and will therefore not result in a loss of privacy to this neighbour.

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

- 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 62-2020-02P.

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.