

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JR	30.06.2021
Planning Development Manager authorisation:	JJ	01/07/2021
Admin checks / despatch completed	DB	01.07.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	01.07.2021

**Application:** 21/00829/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr W Chapman

**Address:** Springcroft 2 Grenfell Avenue Holland On Sea

**Development:** Proposed loft conversion including rear hip to gable roof, rear Juliet balcony, front dormer window, installation of 3 no. rooflights to side elevations, single storey side extension and removal of chimney

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

Clacton Non Parished

### **2. Consultation Responses**

N/A

### **3. Planning History**

None

### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019  
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

HG14 Side Isolation

QL11 Environmental Impacts and Compatibility of Uses (part superseded)

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

#### Relevant Section 1 Policies (adopted)

SP1 Presumption in Favour of Sustainable Development

SP7 Place Shaping Principles

#### Relevant Section 2 Policies (emerging)

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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**

### **Site Description**

The application site is located on the northern side of Grenfell Avenue, at the junction with Park Boulevard. The site comprises of a detached bungalow with driveway running along the western side of the dwelling set within a fairly wide plot with space either side of the dwelling. The property is currently undergoing refurbishment.

The surrounding area is residential in nature comprising of a mix of bungalows and two storey houses of varying designs and styles. The site is in flood zone 1 which has a low risk of flooding.

### **Description of Proposal**

The application seeks planning permission to construct a pitched roof front dormer and hip to gable roof extension to the rear with Juliet balcony to facilitate the conversion of the loft area into habitable accommodation. It is also proposed to construct a pitched roof side extension to the eastern side of the dwelling.

The roof extension would extend the ridge rearwards by some 4.4m to form a gable end but does not increase the footprint of the dwelling. The front dormer measures 1.4m wide, 2.6m deep and 2m high. The side extension measures 2.5m wide, 5.3m deep with an eaves height of some 2.8m and a maximum height of 5.2m.

The proposal would provide two bedrooms and an en-suite in the converted roofspace and a utility room and W.C at ground floor.

The external materials are smooth render above a brick plinth to the main dwelling, oak featheredge cladding to the side extension and the rear gable, uPVC windows and doors and stainless steel post and clear glass balustrade to the Juliet balcony.

### Principle of Development

The site is located within the Settlement Development Boundary of on-on-Sea, therefore there is no objection to the principle of extending the residential dwelling, subject to the detailed considerations discussed below.

### Design & Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. 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.

Policy SP7 states that all new development should respond positively to local character and context to preserve and enhance the quality of existing places and their environs. Emerging Policy SPL3 seeks to provide new development which is well designed and maintains or enhances local character and distinctiveness. The development should relate well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials and should respect or enhance local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features. Saved Policy QL11 supports these considerations.

The proposed roof extension is considered to be of a design, size, siting and scale that it would not result in any significant harm to the character and appearance of the main dwelling. The ridge height of the existing bungalow is maintained and is proportionate to the size and scale of the main dwelling. The roof extension is to the rear of the property and would have limited visibility within the public realm and would not therefore have a detrimental impact on the wider streetscene.

The proposed side extension is sited close to the eastern boundary of the site, due to it narrowing at this point due to the sites orientation with the neighbouring dwelling (11 Park Blvd). Policy HG14 states that for extensions over 4m in height an appropriate open space between the dwelling and the side boundaries of the plot should be maintained. The guidance is a minimum of 1m. In this instance, whilst the 1m gap is not maintained per se, given the irregular shape of the site and the degree of set back from both the front wall of the main dwelling and the highway, it is not considered that the proposed side extension would appear cramped, particularly when viewed from the streetscene. Therefore, on balance, the design and appearance of the side extension is considered to be acceptable in this location.

The external materials would give a more modern appearance to the dwelling, however render and timber cladding are present within the surrounding streetscene and overall this design approach is considered to be acceptable and would suitably upgrade the overall external appearance of the bungalow in the wider streetscene.

In regards to the front dormer, the Essex Design Guide states that "Dormers should be a minor incident in the roof plane. Their purpose should be to light the roof-space, not to gain extra headroom over any great width. They should not be located close to verges or hips and should have gabled, cat-slide or flat lead roofs." The front dormer is sited well within the front roofslope between the ridge and the eaves and is set away from both side verges.

It is acknowledged that the surrounding properties in the immediate vicinity do not have front facing dormers, notwithstanding this, it is considered that the small scale pitched roof design of the front dormer would result in an attractive addition to the property. For these reasons the front dormer is not considered to have a significant impact on the character and appearance of the street scene and respects the character and appearance of the host dwelling in regards to scale and design.

The overall site can accommodate the proposed extensions whilst retaining adequate private amenity space. Therefore the proposed extension is acceptable and policy compliant in these regards.

### Impact to Neighbouring Amenities

The NPPF, Paragraph 127, states that planning should always seek to secure a high 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 emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The application site is bordered by No. 4 Grenfell Avenue (to the west) and No. 11 Park Blvd (to the east). Both neighbouring properties are detached bungalows.

No. 4 to the west has a garage building along the shared boundary with No. 2. There is a minimum of 3m separation distance from the proposed roof extension and the shared boundaries with both the adjoining neighbouring properties. Whilst the rear roof extension would increase the bulk and mass of the roof, it does not extend past the existing rear wall of the application dwelling and given the separation distances is not considered to form a dominant or overbearing form of development to these neighbouring dwellings.

The side extension is sited close to what is the rear boundary of No. 11 Park Blvd, however given the orientation of this neighbouring dwelling and its rear facing windows to the application site, the side extension is not considered to have a materially harmful impact on the residential amenities of this neighbour in terms of overshadowing or an increased sense of enclosure. The rooflights to the sides and the front dormer are not considered to result in undue overlooking or loss of privacy to the neighbouring occupiers.

The neighbour to the rear, No. 15 Park Blvd is orientated at an angle to the application site, with the rear garden area running parallel with the rear boundary of No. 2. The rear window and Juliet balcony due to this orientation face the rear part of this neighbour's amenity area, however given the separation distance of some 16m from the roof extension and the rear boundary this is not considered to result in an unacceptable degree of overlooking and loss of privacy.

Therefore the proposal is considered to be acceptable and policy compliant in these regards.

### Highway Issues

The proposal does not alter or increase the parking provision required at the site. Parking for two cars and a suitable vehicular access are retained.

### Other Matters

Two letters of representation have been received.

### Summary of matters raised

- Loss of privacy to neighbouring rear gardens and habitable rooms from rear first floor Juliet balcony
- Removal of trees resulting in open views to rear garden from proposal  
*The site is not located in a conservation area and the trees in question do not appear to be subject to tree preservation orders, as such they are afforded no statutory protection and the LPA cannot insist upon the retention. Issues such as views / overlooking have been covered in main body of report.*
- Overlooking to all of rear garden
- Side extension in close proximity to neighbouring property

**Officer Comment:** The remainder of the issues not covered above have been addressed in the report. 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: 01 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.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>		NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>		NO