

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JR	26.08.2021
Planning Development Manager authorisation:	JJ	26/08/2021
Admin checks / despatch completed	DB	26.08.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	26.08.2021

Application: 21/00917/FUL **Town / Parish:** Alresford Parish Council

Applicant: Mr and Mrs Milner

Address: 12 Wivenhoe Road Alresford Colchester

Development: Proposed first and ground floor extension to existing bungalow.

1. Town / Parish Council

Alresford Parish Council No Objection - requests that the front of the property (boarding colour) fits in with the existing street scene.

2. Consultation Responses

Trees and Landscaping The existing street tree is a mature Oak approaching veteran status which is afforded formal legal protection by Tendring District Council Tree Preservation Order 10/47/TPO at 12/14 Wivenhoe Road, Alresford.

The foot print of the existing dwelling will not alter significantly on its front elevation but the building will increase in height to accommodate the first floor extension.

The extension itself will not cause harm to the tree. The building is more than 15m from the tree, therefore not within the RPA. Any construction works associated with the development within the RPA of the tree could result in compaction or contamination of the soil which could cause harm to the tree.

It is necessary for the applicant to provide information to show how the RPA of the protected tree will be physically protected for the duration of the construction phase.

It was also noted that the entire front garden is of a metalled surface with a combination of concrete and block paving. It may be helpful if it were to be retained during the construction period as it will help to protect the soil beneath the surfacing

3. Planning History

02/00176/FUL	Change of use from agricultural to domestic use (extended garden of Nos 2-24)	Approved	27.03.2002
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4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

QL11 Environmental Impacts and Compatibility of Uses (part superseded)
HG9 Private Amenity Space
HG14 Side Isolation
EN1 Landscape Character

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
CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26th January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. In this regard 'Proposed Modifications' to emerging Section 2 of the 2013-33 Local Plan which contains more specific policies and proposals for Tendring has been examined and hearing sessions have now closed. The main modifications recommended to make the plan legally compliant and sound were considered at the Council's Planning Policy and Local Plan Committee on 29th June 2021. The Council is holding a six week public consultation on the Main Modifications and associated documents, which began on 16th July 2021. The consultation will run for just over 6 weeks, closing at 5pm on 31st August 2021, following which adoption is expected later this year. Section 2 will join Section 1 as part of the development plan, superseding in full the 2007 Local Plan. Section 2 of the 2013-33 Local Plan is therefore at a very advanced stage of preparation and should be afforded considerable weight.

5. Officer Appraisal

Site Description

The application site is located on the southern side of Wivenhoe Road, within the settlement development boundary of Alresford and comprises of a detached bungalow with an attached garage, to the western side. There is hardstanding to the frontage for parking.

The dwelling sits within a large plot, some 15m wide and 56m deep. The surrounding area is residential in nature and the application dwelling sits within a run of detached bungalows which

have undergone a range of different extensions and are now of varying styles and designs, but overall maintain a chalet bungalow appearance.

There is a TPO protected street tree on the shared boundary between Nos 12 and 14.

Proposal

The application seeks planning permission to raise the roof and form a first floor, with front and rear dormers and a single storey rear extension to form a 4 bed dwelling.

The proposal would raise the ridge height to some 7.35m, with an eaves height of some 3.5m. Three pitched roof dormers are proposed to the front elevation and a flat roof box dormer is proposed to the rear elevation. The single storey rear extension measures 3.4m deep, 10.4m wide with an eaves height of 3.2m.

The proposed external materials are render and cladding, with concrete interlocking tiles.

During the course of the application amended plans were received due to officer concerns regarding the formation of a two storey dwelling. The scheme has been revised to form a chalet style dwelling which is more in keeping with the surrounding dwellings. Therefore the application is considered on the basis of the amended plans.

Principle of Development

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

Design and Appearance

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. (Para 126 NPPF).

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 first floor and rear extension are of a design and appearance appropriate to the existing dwelling and having regard to the location of the site, such that it would not result in any significant harm to the character and appearance of the streetscene or the rear garden scene. This run of extended bungalows are of varying heights, designs and styles and the proposal is considered to be reflective of this mixed character, whilst still maintaining the overall chalet appearance that is seen within the streetscene. The three pitched roof dormers and the rear dormer are well positioned within the roof slopes and in proportion to the extended dwelling. Both flat and pitched roof dormers are seen within the surrounding streetscene and the rear garden scene.

The single storey extension is to the rear of the property and is not therefore visible within the public realm. The overall site can accommodate the proposed extension whilst retaining adequate private amenity space.

Therefore the proposed extension is acceptable and policy compliant in these regards.

Impact upon Residential Amenity

The NPPF, Paragraph 130 maintains that policies and decisions should result in new development that creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. In addition, Policy QL11 of the saved plan states that amongst other 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. 10 (to the east) and No. 14 Wivenhoe Road (to the west). Both neighbouring dwellings have undergone similar extensions to that proposed and are detached chalet bungalows with front and rear dormers. No. 10 also has a single storey rear extension. Nos 12 and 14 are joined on the boundary by their garages, which extend past the rear walls of the main dwellings.

The proposed extensions maintain adequate separation from No. 10, due to the detached nature of the neighbouring dwellings. Whilst the ridge height to the extended No. 12 is higher than that of Nos 10 and 14, the first floor extension is contained within the footprint of the existing bungalow and is not considered to form a dominant or overbearing addition. The single storey rear extension is of a similar depth to that at No. 10 and is screened from No. 14 by the existing garages which are located on this shared boundary, which also affords around 2.5m separation distance to the boundary.

There are dormers proposed to the front roof plane of the extended dwelling, and views towards to the frontages of the dwellings opposite are possible from these dormer windows. However, a good distance is retained between the dwellings across the highway and views will only be toward to the front gardens and therefore not considered significantly harmful to residential amenities.

No side windows are proposed at first floor, therefore there are no overlooking or loss of privacy concerns raised.

Therefore the proposed extension is acceptable and policy compliant in these regards.

Trees and Landscaping

Paragraph 131 of the NPPF recognises that trees 'make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure amongst others, that existing trees are retained wherever possible. The tree officer considers that the development is out of the root protection area of the tree, however it is important that the tree is protected during the construction phase of the development. Therefore a condition can be added to any grant of planning permission for tree protection measures to be submitted for approval before any development commences.

Highways

The proposal does not increase or alter the car parking provision required for the site. Sufficient off road parking for two cars is maintained. The existing highways access is also remains unchanged.

Consultation Responses

Alresford Parish Council have no objection to the proposed extension as long as the external materials, in particular the cladding colour fits appropriately with the streetscene. This can be secured by way of a condition to any grant of planning permission

One letter of representation has been received.

Summary of matters raised:

- Regrettable that another bungalow is to be converted to a house
- Concerns raised regarding the finish, in particular the boarding, which should be white or pastel and not black or dark creosote.

In response to the concern regarding the cladding a condition will be added to any grant of planning permission to control this.

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(s): WR.PL.102 Rev A, WR.PL.103 Rev A

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the commencement of development, details of the tree protection measures and the erection of temporary protective fences of a height, size and in positions shall be submitted to and approved in writing by the Local Planning Authority. The protective fences as approved shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

Reason: To protect the TPO protected street tree from damage during the construction process

- 4 No above ground level works shall take place until details of the external materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be used in the development therein.

Reason - To ensure that the development is appropriate within its setting in the interests of visual amenity.

- 5 The roof of the rear extension hereby approved shall not at any time be used as a balcony or sitting out area neither shall any balustrade, railings, wall or other means of enclosure be erected on any part of the roof.

Reason - To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers.

8. Informatives

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:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO