

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	30/09/2021
Planning Development Manager authorisation:	JJ	05/10/2021
Admin checks / despatch completed	CC	06.10.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:		

Application: 21/00225/FUL **Town / Parish:** Alresford Parish Council
Applicant: Mr and Miss A O'Brian
Address: 188 Wivenhoe Road Alresford Colchester
Development: Removal of existing roof accommodation, first floor extension, single storey rear extension and new carport

1. Town / Parish Council

Alresford Parish Council
28.03.2021

Alresford Parish Council have no objection to the application overall, but observe that the carport is very close to the road and could set a precedence changing the current street scene. The other observation relates to the side windows that would possibly overlook the neighbour, obscure glass if appropriate.

2. Consultation Responses

n/a

3. Planning History

03/00779/FUL	Side extension, rear conservatory and detached garage.	Approved	17.06.2003
06/00665/FUL	Proposed two storey extension and garage for domestic purposes.	Approved	29.06.2006
60/00239/FUL	Bungalow	Approved	21.07.1960
16/01193/FUL	Single storey extension and internal alterations including full width dormer at rear. Detached double garage.	Approved	26.09.2016
21/00225/FUL	Removal of existing roof accommodation, first floor extension, single storey rear extension and new carport	Current	

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Adopted Tendring District Local Plan 2007 (part superseded)
QL11 Environmental Impacts and Compatibility of Uses (part superseded)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

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)
SP7 Place Shaping Principles
SPL3 Sustainable Design
TR7 Vehicle Parking at New Development

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 the 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 held a six-week public consultation on the Main Modifications and associated documents which began on 16th July 2021. The consultation closed at 5pm on 31st August 2021 and adoption is expected later this year. Section 2 will then 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

Proposal

The application seeks planning permission to form a first floor over the footprint of the existing bungalow with a single storey rear extension. The proposals also include a detached cart lodge to be sited in front of the house. The application site lies within the settlement development boundary of Alresford.

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 southern side of this western end of Wivenhoe Road is a mix of bungalows, chalet bungalows and houses of differing styles and in the main take the form of linear development, set back from Wivenhoe Road with large frontages and off road car parking and garages. At the bend in the road by 188 Wivenhoe Road, the cottage of 190 Wivenhoe Road breaks the linear arrangement and is set forward with minimal frontage. 192 Wivenhoe Road is set further back than 188 and orientates to the bend in the road. Many of the properties along Wivenhoe Road have been altered and extended over time.

The proposal creates a first floor using the footprint of the existing bungalow, with a main roof that is hipped and a feature gable facing Wivenhoe Road. The proposal would raise the main ridge height to 7.35 metres, with the gable ridge at 7.125 metres and the eaves at 4.875 metres. A timber framed porch with tiled roof will add detail to the entrance. The single storey rear extension will measure 4.13 metres in depth, 9.1 metres in width with an overall flat roof height of 2.95 metres. A roof lantern centrally placed will provide light to the new family room. The main house will be finished in smooth render at ground floor and Hardie plank at first floor level with red clay pantiles. The single storey rear extension will contrast in a red brick finish with white UPVC or powder coated aluminium windows and doors, however its position at the rear means it is not publicly visible.

The cart lodge will be sited side on, forward of the house in a position where a double garage was previously approved on two occasions under references 03/00779/FUL and 16/01193/FUL but never constructed. Although the garage is forward of the front elevation, as mentioned previously, 188 Wivenhoe Road provides an end point to the strict linear development and the cart lodge will be sited alongside the garage of 190 Wivenhoe Road. The cart lodge acts almost as a conclusion to the linear residential development on this side of Wivenhoe Road before it becomes more rural. The cart lodge will be oak timber framed with a brick plinth and finished in Hardie plank stained black to take on the appearance of an agricultural building.

Having regard to the location and size of the application site, the proposals are of a design and appearance appropriate to the existing dwelling and would not result in any significant harm to the character and appearance of the streetscene.

Impact on Residential Amenity

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the proposal is over 4 metres in height, as in this case. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary. In this case a distance of 1.59 metres to the western side boundary shared with 190 Wivenhoe Road has been maintained. The distance to the western side boundary shared with 186 Wivenhoe Road is 0.9 metres, however there is a distance of 2.48 metres between the properties themselves preventing a cramped appearance or any significant loss of amenity.

The property of 186 Wivenhoe Road is a single storey dwelling that has been substantially extended in depth over time and goes well beyond the rear and front elevations of the proposal and neighbouring dwellings. The property of 186 Wivenhoe Road has a side facing bedroom window and small secondary lounge window facing the proposal however these are already somewhat overshadowed by the existing gable end of the already extended 188 Wivenhoe Road which at its ridge is 5.38 metres. The proposal will alter this gable to a two storey building with a hipped roof away from number 186 with an eaves height of 4.875 metres that is comparatively lower than the existing gable ensuring no significant loss of light to the neighbour at 186 Wivenhoe Road.

Due to the relationship and siting of 188 and 190 Wivenhoe Road there will be no significant loss of light to the neighbour at 190 Wivenhoe Road. In addition the proposed garage will lie alongside

the garage of 190 Wivenhoe Road ensuring no significant impact to neighbouring residential amenity.

Due to the siting of the host dwelling within the application site and orientation of neighbouring dwellings and the degree to which the property of 186 Wivenhoe Road has been extended there will be no significant risk of overlooking or loss of privacy to either immediate neighbour.

At first floor level there are side facing en suite bathroom windows on both elevations and it is understood that these would be obscure glazed to offer privacy to the occupiers however this can be secured by way of a condition to any grant of planning permission.

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 100 square metres of private amenity space for a property with three or more bedrooms. Over 600 square metres of garden space remains following the construction of the proposals.

The proposed cart lodge does not comply with the parking standards where the minimum size of a double garage should measure 7 metres x 5.5 metres. It is however accepted that this could provide a means for off road parking and ample space remains on the existing driveway for at least two cars to park off the road in spaces that do meet the standards whereby one space measures 5.5 metres x 2.9 metres.

Other Considerations

Alresford Parish Council have no objection to the application overall, but raise the following concerns:

- The carport is very close to the road and could set a precedent changing the current street scene.
- The other observation relates to the side windows that would possibly overlook the neighbour, obscure glass if appropriate.

Both of these points have been addressed in the report.

No further letters of representation have been received.

Conclusion

In the absence of material harm resulting from the development 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 plans: Drawing No: 491-01-01, 491-01-03, 491-01-04A and 491-01-05.

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

- 3 The windows to be created in the first floor side elevations shall be glazed in obscure glass. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason - To satisfactorily protect the residential amenities of nearby occupiers.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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