

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | CC | 12.10.2021 |
| Planning Development Manager authorisation: | JJ | 13/10/2021 |
| Admin checks / despatch completed | DB | 14.10.2021 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | CC | 14.10.2021 |

Application: 21/01459/FULHH **Town / Parish:** Thorrington Parish Council

Applicant: Mr C Meldrum

Address: Little Oaks Church Road Thorrington

Development: Proposed extension to provide additional ground floor and first floor living space.

1. Town / Parish Council

Thorrington Parish Council No Comment

2. Consultation Responses

Not Applicable

3. Planning History

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|----------------|---|---------|------------|
| 19/00623/OUT | Outline application for two dwellings with all matters reserved. | Refused | 05.12.2019 |
| 21/01459/FULHH | Proposed extension to provide additional ground floor and first floor living space. | 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Adopted Tendring District Local Plan 2007 (part superseded)

QL11 Environmental Impacts and Compatibility of Uses (part superseded)

HG14 Side Isolation

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

SPL3 Sustainable Design

SP1 Presumption in Favour of Sustainable Development

Local Planning Guidance

Essex Design Guide

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 (including Site Description and Proposal)

Proposal

This application seeks permission for an extension to provide additional ground floor and first floor living space.

Application Site

The application site serves a detached brick-built bungalow located within the development boundary of Thorington. The front of the site has a lawn area with some shrubbery and pebbled driveway. The adjacent neighbouring dwellings are of a two-storey nature with bungalows located towards the south east of church road. The dwellings are of differing designs and appearances.

Assessment

Design and Appearance

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. Saved Policy QL11 and emerging Policy SP1 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its

form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties.

The proposed ground floor extension will wrap around the existing dwelling in an 'L' like shape and will be located to the rear and north elevation. It will measure 9.1 metres wide by 5 metres deep to the rear and 12 metres deep at the north side elevation by 2.1 metres wide. The application site is located on a large plot of land and can accommodate for a proposal of this size and scale whilst retaining plenty of private amenity space.

It is proposed to replace the existing facing brickwork on the dwelling with white render, the proposed ground floor extension will be finished in facing brickwork. The extension will be visible to the streetscene as it extends along the north elevation. Brickwork is deemed to be a traditional material widely used throughout construction and can be seen within the streetscene of Church Road. Furthermore the dwelling is set slightly back on its plot and therefore the proposed extension will not appear overly dominant within the streetscene.

The proposed provision of first floor living space will include increasing the existing roof height by 2.7 metres to measure 7.8 metres overall. The first floor living space will also include the installation of a side facing dormer to the south elevation, a balcony to the rear and rooflights to the side elevations. The first floor exterior walls and dormers will be finished in blue/grey weatherboarding with a pitched roof design finished in grey interlocking tiles. Dormers and rooflights can be seen throughout the streetscene of Church Road and therefore the proposal is considered to be of an acceptable design and appearance in keeping with the surrounding streetscene. The increase in roof height is also considered to be of an in keeping appearance with the surrounding area as Church Road is largely comprised of a mixture of dwellings of a two storey and single storey nature. The increase in height is therefore not considered to appear overly dominant or out of character with the locality.

Policy HG14 of the Tendring District Local Plan (2007) states that extensions over 4m in height will be required to retain appropriate open space between the dwelling and side boundaries to ensure that new development is appropriate in its setting, does not create a cramped appearance and safeguard the amenities and aspect of adjoining residents. A minimum distance of 1 metre is usually sought. The proposed extension will be constructed 1.3 metres from the shared neighbouring boundary line to the north and is therefore compliant with Policy HG14.

The proposed development is therefore considered to be of an acceptable design and appearance in keeping with the surrounding area.

Impact to Neighbouring Amenities

The NPPF, Paragraph 17, states that planning should always seek to secure a good 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 Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the extension roof would not intercept the neighbouring dwellings in both plan and elevation, it therefore cannot be said to have an impact on the loss of light so significant as to justify refusing planning permission.

The proposed side facing roof dormers will be located on the south of the site and will provide the dwelling with additional views from first floor level towards the front hardstanding area and side elevation and side roof slope of the neighbouring property to the south (Sycamore Lodge). The two windows in bedroom 3 will predominantly face the side elevation and side roof slope of Sycamore House and harmful views will not be possible, however the secondary window in bedroom 3 (in the

side elevation) may afford oblique views towards the recessed front elevation of Sycamore House, as such a condition will be included to have this window fitted with obscure glazed windows and fixed shut to further reduce the loss of privacy. This is considered to be reasonable as bedroom 2 will have a main window in the front elevation.

The installation of windows to the rear elevation at first floor level will also provide the dwelling with additional views overlooking onto the rear of the adjacent neighbouring properties. However these windows will also be serving a bedroom, and it is not unusual for rear amenity areas of adjacent properties to be overlooked in semi rural areas such as this, and this arrangement will therefore not have an impact on the loss of privacy so significant as to justify refusing planning permission.

The proposed balcony is located to the rear of the dwelling and will provide views overlooking onto the adjacent neighbouring gardens and therefore result in a loss of privacy. However, once again the balcony will only provide views towards garden areas and it is not unusual for rear amenity areas of adjacent properties to be overlooked in semi rural areas such as this .

Due to the positioning of the proposed rooflights in the roof slope they will not be providing the dwelling with any clear additional views overlooking onto neighbouring properties and will not result in a loss of privacy so significant as to justify refusing planning permission.

The proposed development is therefore considered acceptable in terms of residential amenities.

Highway issues

The Proposal will include the demolition of the existing garage at the site. However this garage does not comply with Essex County Council Highways requirements for a garage to have minimum internal measurements of 7 metres by 3 metres. The existing garage measures 5 metres deep by 2.7 metres wide internally and therefore cannot be considered as an appropriate car parking space. The removal of this garage can therefore not be said to cause a loss of parking at the site.

Other Considerations

Thorrington Parish Council made no comments on the application.

No other letters of representation have been received.

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 / Reasons for Refusal

- 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. CM-E02

Drawing No. CM-P02
Drawing No. CM-P04

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

- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the south east facing first floor window in the side dormer serving bedroom 3 shall be fixed shut and glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

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.

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| 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 |