

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | JR | 14.06.2022 |
| Planning Development Manager authorisation: | JJ | 30/06/2022 |
| Admin checks / despatch completed | DB | 01.07.2022 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | ER | 01/07/2022 |

Application: 22/00611/FULHH **Town / Parish:** St Osyth Parish Council

Applicant: Mr Korf

Address: 345 Point Clear Road St Osyth Clacton On Sea

Development: Proposed erection of rear dormer for additional habitable rooms and alterations, extensions and conversion of existing garage and boathouse to accommodate new living spaces.

1. Town / Parish Council

Parish Clerk St Osyth Parish Council
19.05.2022

No objections.

2. Consultation Responses

ECC Highways Dept
07.06.2022

It is noted that no new or altered means of vehicular access is proposed as part of this application. The proposal includes the conversion of the existing garage however, provision has been made to retain adequate off-street parking for a minimum of two domestic vehicles, considering these factors the Highway Authority does not object to the proposals as submitted.

Building Control and Access Officer

No comments received

3. Planning History

None

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021
National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 Sustainable Design
CP1 Sustainable Transport and Accessibility

Local Planning Guidance
Essex Design Guide for Residential and Mixed Use Areas

Status of the Local Plan

Planning law requires that decisions on 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 (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal

Site Description

The application site is located on the southern side of Point Clear Road, close to the junction with Lydia Drive, within Point Clear, St Osyth, but outside of any defined settlement development boundary. The site comprises of a detached bungalow, with attached garage to the west and a boat house/storage building to the east. The site slopes downwards towards the highway and is bordered to the rear by a public footpath, with views out to the estuary beyond. The site has a vehicular access with hardstanding to the frontage for parking.

The site is within a built up residential area, towards the far end of Point Clear Road and characterised predominately by bungalows, interspersed with chalet bungalows and some houses. The site is located within Flood Zone 1 which has a low risk of flooding.

During the course of the application it was noticed that the red edge to the site location plan did not include the boat house area. An amended site plan was received. The application details clearly included the boat house area, in relation to the block, plan, elevations and floor plans, however it was not considered that there was a need to re-notify neighbouring properties of this alteration to the site boundary and a second 14 day consultation was undertaken.

Proposal

The application seeks planning permission to raise the ridge height of the bungalow, garage and boat house by around 0.5m, to construct a rear dormer to the bungalow and garage roof to provide habitable accommodation and to convert the garage and boat house into habitable accommodation. Balconies are proposed to the rear of the converted boat house and rear dormer and new windows/doors/rooflights are proposed to the property.

The external materials proposed are:

Red brick to match existing, timber cladding to rear proposed dormer and boathouse

Red clay roof tiles

Black powder-coated double glazed aluminium composite window systems

Timber door with oil finish

Double glazed rooflight with black metal frame

Black inset gutters and metal downpipes in black

The proposed development would provide three bedrooms, living area, bathroom and en-suite at first floor, a games room, storage area and plant room in the converted garage and two bedrooms, living areas, shower room and kitchen in the converted boat house.

Principle of Development

The conversion of the existing boathouse, given the level of accommodation proposed, is considered to form a separate unit of accommodation, albeit remaining linked to the main dwelling. The formation of annexe habitable accommodation to a residential dwelling is considered acceptable, providing that the annexe remains ancillary to the main dwelling i.e. it does not form a separate planning unit operating independently from the main house.

The proposed converted boat house has all the accommodation required to be capable of operating as a self-contained dwelling. A relationship between the boat house building and the main dwelling is maintained as the buildings remain attached, however there is no access to the boat house building directly from the main dwelling. On balance, therefore it is considered that it would be reasonable to add a condition to any grant of planning permission, in order to ensure the converted boat house annexe building is not occupied at any time other than for purposes ancillary to the residential use of the main dwelling, 345 Point Clear Road, St Osyth.

Whilst the site is not located within a defined Settlement Development Boundary, the proposed development relates to extensions and alterations to a residential property and therefore there is no objection to the principle of development, subject to the detailed policy 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. 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.

Overall the extensions are considered to be of a size and scale appropriate to the existing dwelling. The ridge height is raised by around 0.5m and from the front streetscene view the property retains its bungalow appearance which is typical of the surrounding area, albeit comprising of a more modern appearance, with new large glazed windows, timber doors and glazed balustrade. This is not considered to be out of character given the varied designs and styles seen within the wider streetscene.

The extensions to the rear continue the more modern approach with flat roof dormers, with large glazed windows and balconies, enhanced by timber cladding and detailing and a Sedum Roof. Whilst there would be some views of the property from the rear footpath, the extensions and alterations are considered to be well designed, using high quality materials that add interest to the visual amenity of the property and the surrounding area.

The application site retains sufficient private amenity space.

The proposal is therefore considered to be acceptable and policy compliant in these regards.

Impact to Neighbouring Amenities

Paragraph 130 of The Framework 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. Policy SPL3 seeks new development that does not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

The application site is bordered by No. 343 (to the east) a detached bungalow and No. 347 (to the west) a detached two storey dwelling, set lower than the application property due to the changes in ground levels, which slope down from east to west.

The extensions and alterations to the application property are sited mostly within the existing footprint of the building and therefore the build form does not in the main extend much further

beyond the front and rear walls of the neighbouring dwellings. The ridge is raised to the garage and dwelling, with the addition of rear dormers, which could give rise to overshadowing and dominant impacts to the neighbouring dwellings. It is considered though, given the detached nature of the application dwelling and the separation distances to the shared boundary from the proposed extensions that the proposal would not result in any detrimental impacts on the residential amenity of these neighbours in terms of overlooking, undue sense of enclosure or loss of outlook.

The rear dormer to the main dwelling and the converted boat house include rear balconies, which are recessed within the roofs of the building creating an overhang which assists in providing only restricted views across to the neighbouring properties and any views would be limited to the very rear of the rear gardens and to the open coastline beyond. Therefore the proposal is not considered to result in any undue overlooking or loss of privacy.

The only first floor side windows are the roof lights to the converted boat house and given their location and angle of the new roof, it is possible that views of the neighbouring property (No. 343) could be afforded from the rooflights facing the shared boundary. It is therefore considered appropriate to condition these windows to be obscure glazed to mitigate any overlooking or loss of privacy concerns.

Highways issues

Whilst the proposal, by way of the conversion proposed, has removed the garage as a parking space, the property has an extensive paved frontage, which can easily accommodate in excess of the policy required two parking spaces.

Consultation Responses

No representations have been received following a public consultation which included a site notice posted at the site and neighbouring consultation letters sent out to the adjacent properties.

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 – FULHH

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) and documents:

- 01 P2 – Site Location Plan
- 02 P1 – Proposed Site Layout Plan
- 10 P1 – Proposed Ground Floor Plan
- 11 P1 – Proposed First Floor Plan
- 12 P1 – Proposed Roof Plan
- 13 P1 – Proposed Front and Rear Elevations
- 14 P1 – Proposed Side Elevations
- 15 P1 – Sections

16 P1 – Sections
19 P1 – Proposed Materials

Design and Access statement dated 4th March 2022 Ref: NB-PCR-01

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

3. The boathouse annexe building hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 345 Point Clear Road, St Osyth and shall not be sold, rented, used as a holiday let or independent residential unit at any time.

Reason: The application was submitted and subsequently assessed on this basis, to ensure a satisfactory standard of accommodation, to protect the amenities of existing and proposed occupiers and to protect the privacy and environment of people in neighbouring residential properties

4. The rooflights in the east facing roofslope of the converted boathouse hereby approved, must be obscure glazed to a minimum of Level 4 on the Pilkington scale of privacy or equivalent, and non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level.

Reason: In the interests of residential amenity.

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.

Highway Informatives

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

The public's rights and ease of passage over public footpath no.25 (St Osyth_178) shall be maintained free and unobstructed at all times. To ensure the continued safe passage of the public on the definitive right of way and accessibility

On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area, it covers, and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

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| 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 |