

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	27/04/2022
Planning Development Manager authorisation:	SCE	29.04.2022
Admin checks / despatch completed	ER	04/05/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	04.05.2022

**Application:** 22/00435/FULHH **Town / Parish:** Harwich Town Council

**Applicant:** Mrs Gemma Smith

**Address:** 39 Parkeston Road Dovercourt Harwich

**Development:** Proposed two storey rear extension. (Variation of application 21/01498/FULHH).

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

Harwich Town Council  
07.04.2022

Harwich Town Council has no objection to this application.

### **2. Consultation Responses**

Not applicable

### **3. Planning History**

21/01498/FULHH Proposed rear extension. Approved 29.11.2021

22/00435/FULHH Proposed two storey rear extension. (Variation of application 21/01498/FULHH). Current

### **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)  
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)  
SPL3 Sustainable Design

Local Planning Guidance  
Essex Design Guide

### **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 (including Site Description and Proposal)**

### Application Site

the application site comprises of a two storey dwelling finished in brick with some render detailing. The house is set back from the front boundary with a driveway and vehicular access to the front. The houses in this section of Parkeston Road share this similar design and layout in relation to the host dwelling.

Located to the rear is an existing outbuilding with the remainder of the garden laid to lawn and boarded by fencing along shared boundaries. From the rear it is visible other properties have extended in a variety of ways such as conservatories and/ or single storey and two storey rear extensions. These extensions vary in design and materials. The host dwelling also benefits from its own single storey extension/ conservatory addition.

Whilst much of the rear elevation of the house cannot be seen from Parkeston Road it is publicly visible from a small footpath south of the site.

### Proposal

This application seeks permission for the erection of a two storey rear extension. This application is a resubmission of an earlier scheme approved under planning reference 21/01498/FULHH.

The proposal will retain the same depth which was previous approved however the following changes have been submitted;

- Change of width of whole of two storey element to 6.5m to match that of the existing house.
- Removal of Juliet balcony to rear bedroom and replacement with a window.
- Proposed new window in side elevation at first floor level.
- Change of size of windows along side elevations from high level windows to larger openings.
- Replacement of bifold doors with patio doors and small openings aground floor.

### Assessment

#### Design and Appearance

The proposal will be largely to the rear with small elements being visible from Parkeston Road due to spaces between the existing house and its neighbours. Due to predominant screening by way of the host dwelling along with the dwellings set back from the front boundary these views are likely to be minimal and will not infringe upon the character of the streetscene.

Whilst the proposal will be visible from the footpath south of the site this dwelling is sited sufficient distance away from this footpath to prevent the proposal from appearing as a prominent or harmful feature. Furthermore a number of dwellings have already extended to the rear which are also visible from here.

The proposal is of a suitable size and design which will be inkeeping with the existing house and will be finished in materials which match the host dwelling.

The alterations are of a appropriate design and scale in regards to the recently approved application 21/01498/FULHH.

The site is of a large enough size to accommodate the proposal and still maintain sufficient private amenity space.

#### Impact on Neighbours

The proposal will be sited 0.3m from the boundary to the north. This neighbour benefits from an existing single storey rear extension meaning that proposal will only protrude past this neighbours rear wall by approximately 0.7m.. The Sunlight/ Daylight calculations from the Essex Design Guide

have been applied and in plan and elevation the 45 degree line would not encompass or strike through the centre of this neighbour's rearward openings. It is therefore concluded that whilst there will be some impact to this neighbour that as a result of the proposals design and siting off of the boundary that this impact would not be so significant to warrant refusal of this application. Sited south of the site is 37 Parkeston Road. As a result of the orientation of the dwellings the proposal would not result in a loss of light to this neighbour's rearward openings. The proposal will protrude past this neighbour's rear extension by approximately 2.6m and will incorporate a hipped roof design. Whilst this will result in some loss of outlook to this neighbour's rearward openings these windows currently look onto the existing fencing and to the bottom of their own garden. The setting in from the boundary and partial screening by way of existing boundary fencing will also further reduce this. It is therefore considered the loss of outlook to this neighbour would not be so significant in this case to refuse permission upon.

This neighbour at 37 Parkeston Road does have one side window which faces onto the host dwelling and already receives little to no light or outlook and therefore any additional impact which the proposal may have on this would be considered unreasonable grounds to refuse permission upon in this case.

Whilst the original planning permission allowed for the openings along the side elevation at first floor it is noted that these were of a high level measuring 1.7m from the ground thereby not achieving clear views of neighbouring gardens. The change of two of these windows to larger openings and the introduction of a new window at first floor in the existing house will result in a further loss of privacy and feeling of overlooking to the neighbouring sites. Given the fact that these properties are already heavily overlooked by one another it would be deemed unreasonable to refuse planning permission on such matters however in order to safeguard the neighbour's private amenity spaces a condition will be imposed upon the permission requesting that these are maintained as obscure glazing to lessen their impact.

The installation of rearward openings, at first floor would also result in additional overlooking to these neighbours and those to the rear. As a result of the extension these openings are only likely to achieve views into the rear gardens of the adjacent properties and the extension is sufficient distance away from the rear boundary to limit any clear views of the neighbouring properties to the rear. As stated above due to the style of the surrounding properties and host dwelling these neighbouring gardens are already heavily overlooked and therefore the new windows here would not result in such a significant loss of privacy to refuse planning permission upon.

#### Other Considerations

Harwich Town Council has no objections to the proposal.  
There have been no letters of representation received.

#### Conclusion

In the absence of material harm resulting from the proposed 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 plan 1683 and 1683A.

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 new windows to the first floor side elevations of the proposal and existing house, apart from the high level window, shall be 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.