

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	28/09/2022
Planning Development Manager authorisation:	SCE	04.10.2022
Admin checks / despatch completed	ER	05/10/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	05.10.2022

Application: 22/01363/FULHH **Town / Parish:** Great Bentley Parish Council

Applicant: Mr and Mrs Grainger

Address: Graingers 'een 31 Plough Road Great Bentley

Development: Proposed new roof and conversion to garage to form additional living space.

1. Town / Parish Council

Great Bentley Parish Council
09.09.2022 The Parish Council would have no objection to this planning application.

2. Consultation Responses

Not required for this application.

3. Planning History

21/00914/FUL	Proposed extension, new roof and conversion of garage to form additional living space	Approved	12.10.2021
22/01363/FULHH	Proposed new roof and conversion to garage to form additional living space.	Current	

4. Relevant Policies / Government Guidance

National:
National Planning Policy Framework July 2021 (NPPF)
National Planning Practice Guidance (NPPG)

Local:

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
CP2 Improving the Transport Network

Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice

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 is located on the eastern side of Plough Road at the junction with St Marys Road. The site comprises of a two storey semi-detached dwelling with a long frontage, which forms the majority of the amenity area to this and the neighbouring dwelling No. 32. The main vehicular access is from Plough Road and there is hardstanding leading up to a flat roof garage and utility building which is attached to the main dwelling.

Proposal

This application seeks permission for a new roof and conversion to garage to form additional living space.

This application is a resubmission of an earlier scheme approved under planning reference 21/00914/FUL. This proposal changes the earlier scheme to now incorporate a fully hipped roof and three small rear openings in lieu of two large ones already approved. This alteration also does not include the extension to the garage previously approved under 21/00914/FUL.

Representations received

Great Bentley Parish Council has no objection to the proposal.

One letter of objection has been received raising the following concerns;

- Loss of privacy
- Concerns over boundary

Assessment

Design and Appearance

The proposal is of a suitable design and size in relation to the existing house and will appear as a noticeable change within the street scene.

The proposal is set back from the boundary reducing its prominence and will be finished in materials which are consistent with the host dwelling allowing it to appear appropriately in regards to the host dwelling.

The alterations are of an appropriate size and design in regards to the host dwelling and will not result in a harmful impact to the appearance and character of the dwelling or street scene.

Impact on Neighbours

The application dwelling is neighboured by No. 32 Woodgreen Estate, St. Marys Road and Higoaks, St Marys Road (to the east) and Sans Etage (to the north).

No 32 is the other half of the semi-detached pair and is a two storey dwelling. The rear garden of this neighbour is not as deep as that of the application site and the extended building is sited away from the rear boundary of this neighbour and its main amenity area which is located to the side of the property. Given the presence of the existing building, it is not considered that the increase in roof height of the building would impact on this neighbour in terms of overshadowing or an undue sense of enclosure.

The existing building is sited around 1m from the rear boundary with the property to the east, Higoaks, which is a detached bungalow with a relatively small west facing rear amenity area. Whilst the proposal would increase the height of the roof to 4.3m, the roof is hipped away from the boundary and given the orientation of the rear garden of Higoaks, any potential loss of sunlight to the rear garden would be minimal and occur towards the end of the day.

The three new rear windows to the building are high level and serve the utility room. However it is considered reasonable to add a condition to any grant of planning permission to ensure that these

windows are obscure glazed in order to prevent any actual or perceived overlooking or loss of privacy impacts to the occupiers of the neighbouring dwellings, No. 32 and Highoaks. Sans Etage to the north is a detached chalet bungalow, which was extended to form a first floor under planning permission 12/00723/FUL. The overall height of this extended dwelling is around 6.5m. The roof of the extended building is again hipped away from this shared boundary and given the presence of the existing building, close to this shared boundary, it is not considered that the proposal would be overbearing or result in an undue sense of enclosure to this neighbour. The roof height of the building is lower than the window in the side dormer of the neighbouring dwelling, therefore the proposal is not considered to result in a loss of light and outlook to this window, which is the sole window to a first floor bedroom. There are no windows in the side elevation facing this neighbour. The proposal is therefore considered to be acceptable and policy compliant in these regards.

Concerns have been raised over the boundary shown on the plans which have been provided by the agent. Should any works be carried out on land not owing to the applicant then this would be a civil matter between them and the neighbour. The agent has the responsibility to ensure that boundary lines are correct and they are advised to seek advice from Land Registry in this regard.

Highways Safety

The conversion of the garage would remove the existing garage for parking purposes. The Council's Adopted Parking Standards require that for dwellings with 2 or more bedrooms, a minimum of 2 parking spaces are required. Parking spaces should measure 5.5 metres by 2.9 metres. It is considered that the existing driveway to the front of the extended building can accommodate the required two parking spaces and retains the existing vehicular access from Plough Road. The proposal is considered to be acceptable and policy compliant in these regard.

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: P01D.

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 windows to the rear elevation 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.

Ancillary Use

The building hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Graingers'een, 31 Plough Road and shall not be sold, let or used as an independent residential unit.