

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	17/03/2023
Planning Manager / Team Leader authorisation:	AN	21/03/23
Planning Technician final checks and despatch:	ER	22/03/2023

Application: 22/02019/FULHH **Town / Parish:** Harwich Town Council

Applicant: Mr John English

Address: 42 The Vineway Dovercourt Harwich

Development: Two storey and single storey rear extension and single storey front extension.

1. Town / Parish Council

Harwich Town Council Harwich Town Council makes no objections to this application.

2. Consultation Responses

None required

3. Planning History

22/02019/FULHH This application seeks planning Current
permission for a two storey and
single storey rear extension and
single storey front extension.

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
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 semi detached dwelling set back on its plot with parking to the front. The houses within the area are uniform in terms of character with many already benefiting from rear and front extensions.

Proposal

This application seeks planning permission for a two storey and single storey rear extension and single storey front extension.

The plans have since been amended to reduce the height of the front extension to a single storey design.

Assessment

Design and Appearance

The proposed front extension has been reduced in height and will be visible from The Vineway. Whilst visible this element will be set back from the front boundary of the site and will share consistencies with other front additions/ porches within the area as well as being finished in materials which are consistent with the host dwelling. As a result this front extension is considered appropriate to the existing house and would not appear as a prominent or harmful addition.

The rear extension will be visible from The Vineway through the open spaces between houses however given its significant set back from the front boundary predominant screening by the host dwelling would not appear as a harmful or intrusive feature to the host dwelling or streetscene.

The proposal is of a suitable scale and design in regards to the main house and will be finished in materials which are consistent with the host dwelling.

Impact to Highways

The ECC Parking Standards states that where a house comprises of two or more bedrooms that 2no off street parking spaces should be retained which measure 5.5m by 2.9m per space. The proposal will be constructed along the existing land used for parking however as the house is set back from the front boundary there is sufficient space forward of the house to allow for at least two parking spaces in line with the above standards.

The proposal will therefore not contravene highway safety.

Impact to Neighbours

The proposed front addition is of a suitable nature and siting away from shared boundaries which would not result in a significant loss of amenities to neighbouring sites.

The rear extension will result in a loss of light and outlook to neighbouring properties and therefore the sunlight/ daylight calculations specified within the Essex Design Guide have been applied to the proposal. The 45 degree line in plan would encompass many of the neighbours rear openings however in elevation the 45 degree line for the two storey element would not intercept the middle of the affected windows. At ground floor the mono pitch single storey extension is on the boundary and will marginally intercept the middle of the affected ground floor French doors however as this is a mono pitch roof the impact is not significant. The proposal is therefore considered not to result in such a loss of light which would require the refusal of this application.

The proposed rear extension will be constructed close to boundaries however the first floor element will be set in from each side boundary reducing the prominence of views of this element from neighbouring sites. The ground floor elements will be largely screened by the existing boundary fencing reducing an impact to neighbouring sites. Due to this design approach and screening by way of boundary fencing the loss of outlook experienced by these neighbours is considered not so significant to refuse planning permission upon in this instance. Sited to the rear first floor elevation will be one new window which will serve a bedroom, this will look out onto existing gardens of neighbouring dwellings which are already heavily overlooked by other two storey properties within the streetscene and therefore no significant loss of privacy would result from these.

There is one new side window at first floor which will serve a bathroom and due to this rooms nature is likely to be obscure glazed which will limit views. The introduction of this other window would not result in such a significant loss of privacy due to the presence of other windows within

the side elevation at first floor along this side elevation. However to safeguard this neighbours privacy further a condition will be imposed to restrict this window to obscure glazing.

Other Considerations

Harwich Town Council makes no objections to this application.

Two letters of objection have been received which raises concerns over the loss of privacy resulting from the proposed development.

One new window will be proposed which will look out to the rear at first floor level and serve a bedroom. This house and its neighbours already benefit from existing first floor windows which look rearward and already achieve views of these gardens. Due to the size of the garden this new window will be sited some distance away from the rear boundary. It is therefore considered that whilst there will be some overlooking that this would not be so significant to refuse this application in this instance.

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 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

55-2022-04PA
55-2022-03PA
REC'D 05/12/22 - SITE PLAN

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved,

unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

3 SPECIFIC RESTRICTION ON DEVELOPMENT: PROVISION OF OBSCURE GLASS

CONDITION: 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 window in the side elevation serving the bathroom shall be glazed in obscured glass before the development hereby permitted is first occupied/used and shall thereafter be permanently retained in this approved form. The obscured glass shall be designed as equal or higher than Pilkington Textured Glass Level 5 Standard as published January 2010 (as amended).

REASON: To protect the privacy and amenities of the occupiers of neighbouring property.

NOTE/S FOR CONDITION

Level 5 is also referred to as Privacy Level 5 and this web site may be of use, the Council accepts no responsibility for content.

<https://www.pilkington.com/en-gb/uk/householders/decorative-glazing>

If you are in any doubt as to the level referred, please contact the Local Planning Authority to discuss.

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.