

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	29/03/2023
Planning Manager / Team Leader authorisation:	AN	30/03/23
Planning Technician final checks and despatch:	ER	30/03/2023

Application: 23/00253/FULHH **Town / Parish:** Thorpe Le Soken Parish Council

Applicant: Mr T Harley - Harley Contemporary Homes Ltd

Address: 52 Abbey Crescent Thorpe Le Soken Clacton On Sea

Development: Proposed single storey rear extension, alterations to the existing roof and cladding to host dwelling.

1. Town / Parish Council

Thorpe le Soken Parish Council No objections

2. Consultation Responses

Not Required

3. Planning History

23/00253/FULHH Proposed single storey rear extension, alterations to the existing roof and cladding to host dwelling. 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

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 detached bungalow which is located within the development boundary. The house is set back from the front boundary with an existing garage to the rear.

Proposal

This application seeks planning permission for erection of a single storey rear extension, alterations to roof and cladding to replace existing render.

Assessment

Design and appearance

The proposed alterations to the roof will be a noticeable change however will only allow for a minor increase in height which would not result in a harmful impact to the streetscene the house resides in.

The proposed extension will be to the rear however due to the open spaces between houses will allow for some views onto Abbey Crescent. These views will be minimal due to its set back and would not result in a significantly harmful impact to the overall appearance and character of the host dwelling or streetscene.

The change of materials from render to white/ grey cladding will differ from the existing dwelling however as the house is set back from the front boundary and as other properties in the area already benefit from cladding the use of this would be consistent with the area and would not compromise its character. It would also be permitted development to clad the existing dwelling.

The proposed extension and alterations are of a suitable size and scale in regards to the main house and will be finished in cladding to allow it to appear cohesively with the existing house. Whilst the proposal will result in a change to the appearance/ character of the house these changes and extensions are considered to be suitable and would not result in such a significantly harmful impact to the overall appearance and character of the area which would require the need to refuse permission upon. It is also noted the house is not located within a Conservation Area and has not been awarded listed building status.

The site is of a large enough size to accommodate the proposal and still retain a usable area of private amenity space.

Impact to Neighbours

Three letters of objection have been received and raise concerns with;

- Loss of light

The impact of this has been fully assessed in the report below.

- Loss of outlook

The impact of this has been fully assessed in the report below.

- Loss of privacy

The impact of this has been fully assessed in the report below.

- Possibility of first floor accommodation in the future.

This proposal only allows for the rear extension,

Given the low ridge height of 5.2m the useable first floor area would be very limited without adding dormer windows. Any alterations to the roof would need to meet the requirements of Class B and C of the GPDO and the conditions contained within pertaining to the use of obscure glazing to side windows.

- Concerns over the trees

The trees at the site do not benefit from special protection and their removal would be outside the control of the Council.

The proposal will result in a loss of outlook to neighbouring sites due to its size and height however will be set off of the shared boundary by at least 0.5m and have a low eaves height of 2.6m which will mean the ground floor will be largely screened by the existing boundary fencing reducing its prominence to the neighbours. The roof is pitched away from the boundary rising to a modest ridge height of 5.2m. The neighbours both have rearward facing openings which currently look onto the boundary fencing/ planting therefore having a reduced outlook. It is therefore considered the loss of outlook is not so significant to refuse planning permission upon in this instance.

The proposed extension will result in a loss of light to neighbouring properties and therefore the Essex Design Guides loss of light calculations have been applied to the plans. The 45 degree line in plan would intercept the neighbouring's rear openings however elevations would not thereby passing the tests. Furthermore the proposal will have a low eaves height reducing the impact to these neighbours. The proposal will therefore not result in such a significant loss of light to refuse permission upon.

The plans show new rooflights to each of the side elevations of the new extension which will serve the ground floor space. These windows are small in size and due to their positioning within the roofslope are unlikely to achieve clear views into neighbouring properties to prevent a significant loss of privacy to require the need to refuse this application. Furthermore neighbouring dwellings to the site also benefit from windows which serve first floor rooms and therefore surrounding gardens already receive little to no privacy in their gardens.

The neighbouring properties do have side facing windows which will achieve views of the proposed addition. As these views are already disrupted due to facing the existing house the loss of light and outlook in this regard would be unreasonable grounds to refuse permission upon.

The house is set significantly away from its rearward boundary which will prevent the proposal from resulting in a harmful impact to neighbours to the rear.

Other Considerations

Thorpe le Soken Parish Council have no objections to the proposal.

Conclusion

The proposal has been considered against national and local policy and found to be compliant with such and in this instance the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The works to which this consent relate must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) 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 consent becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk of both Enforcement Action and Criminal 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.

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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.

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.