

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	07/06/2023
Planning Manager / Team Leader authorisation:	AN	08/06/23
Planning Technician final checks and despatch:	ER	08/06/2023

Application: 23/00451/FULHH **Town / Parish:** Ramsey & Parkeston Parish Council

Applicant: Mr Issa Eleker

Address: Willowdene Wrabness Road Ramsey

Development: Proposed single storey side infill extension and first floor rear extension.

1. Town / Parish Council

Ramsey Parish Council No objections

2. Consultation Responses

Not required

3. Planning History

23/00451/FULHH Proposed single storey side infill extension and first floor rear extension. 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

PPL1 Development and Flood Risk

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 two storey dwelling located within the development boundary.

Proposal

This application seeks planning permission for a single storey side infill extension and first floor rear extension.

Representations received

There has been one letter of representation received raising concerns over the loss of light resulting from the proposal.

The below report will take into account these concerns and address them accordingly.

Assessment

Design and Appearance

The proposed extensions will be largely to the rear with some elements protruding from the side wall of the host dwelling making them publicly visible from Wrabness Road.

The proposed addition will be lower in height compared to the main house and significantly set back from the front boundary and front wall of the host dwelling allowing it to appear as a subservient feature.

The site is of a suitable size to facilitate the proposal without it appearing cramped within the streetscene allowing it to retain suitable open space between the host dwelling and its neighbours. The proposal is of a suitable size and scale in regards to the main house and will be finished in materials which match the host dwelling.

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

The proposal is considered a suitable addition to the main house which as a result of its rearward siting would not result in a significantly harmful impact to the appearance/ character of the house or its locale.

Impact to Neighbours

Sited to the north east of the site is a neighbouring property of Brookfields which is a detached chalet bungalow. This neighbouring dwelling is longer in depth compared to the host dwelling meaning that the proposal will not extend beyond their rear elevation and therefore would not result in a significant loss of light or outlook to any openings situated here.

The proposed single storey elements of the proposal will be screened by the existing house and not visible to this neighbour.

The first floor additions will be visible to this neighbour from their side windows however as they will be sited sufficiently away from the shared boundary would lessen any impact to these windows. It is also noted that these neighbours windows currently look onto the side of the house and boundary treatment and therefore receive limited light and outlook. It is therefore considered the proposal would not result in such a harmful impact on this regard to refuse planning permission upon in this instance.

Sited to the south is the neighbouring property of Rainbert which is a detached chalet bungalow style dwelling. The single storey extension will be sited 0.8m from this shared boundary and the first floor addition will be sited 2m from the boundary. The proposal will not protrude past this neighbours rear elevation due to its greater depth.

There will be views of the proposal from this neighbours side facing windows however given its distance from the shared boundary and that this neighbour side windows already has disrupted views and light due to facing directly onto the host dwelling and harmful impact in this regard would not be so significant to refuse planning permission.

The proposal will result in the reduction in size of the first floor side window which faces Rainbert which serves a bedroom. As this is a reduction and the window already looks onto this neighbour

alterations to it are considered acceptable and would not result in an increased amount of overlooking to this neighbour.

Two new windows will be introduced at first floor level which will face the rear garden and serve en suites. As the host dwelling along with some of its neighbours are already two storey these neighbours gardens are already overlooked meaning the impact from these would be minimal and considered unreasonable to refuse planning permission in this regard.

Flood Risk

The site is located within National Flood Zones 2 and 3. The proposal will extend upon the existing kitchen and study area at ground floor and provide two new ensuites at first floor. There will not be an increase in terms of bedroom numbers.

The proposed additions are appropriate in terms of size and design which would not result in a additional harmful impact to the flood risk for the area and the application has been supported by a Flood Risk Assessment detailing how the proposal will include flood mitigation measures to reduce this further. The proposal will therefore not result in a harmful impact in this regard.

Other Considerations

Ramsey and Parkeston Parish Council have no objections to the proposal.

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.

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.