

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	31/08/2023
Planning Manager / Team Leader authorisation:	ML	04/09/2023
Planning Technician final checks and despatch:	ER	08/09/2023

**Application:** 23/01023/FULHH **Town / Parish:** Harwich Town Council

**Applicant:** Mr Farhad Sorosh-Kaboli

**Address:** 68 Harbour Crescent Harwich Essex

**Development:** Proposed two storey side extension.

**1. Town / Parish Council**

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

**2. Consultation Responses**

Not Required

**3. Planning History**

23/01023/FULHH Proposed two storey side 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):

SP1 Presumption in Favour of Sustainable Development

SP7 Place Shaping Principles

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

SPL1 Managing Growth

SPL3 Sustainable Design

LP3 Housing Density and Standards

LP4 Housing Layout

Supplementary Planning Guidance:

Essex Design Guide

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), supported by our suite of evidence base core documents

<https://www.tendringdc.uk/content/evidence-base>) 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 end terraced dwelling located on a corner plot. The side elevation of the house faces Mayflower Avenue whilst the front elevation faces Harbour Crescent with views onto areas of public open space and the seafront.

The house is set back from each of its boundaries with planting along its side between the site and an area of open space currently owned by Tendring District Council.

The site is located within the development boundary of Harwich.

### Proposal

This application seeks planning permission for the erection of a two-storey side extension.

The extension will be finished in mixture of brick and cream boarding as well as incorporating a forward-facing balcony.

### Assesment

#### Design and Appearance

The proposed extension will be lower in height compared to the main house and set back from the front boundary and front wall of the main house allowing it to appear as a subservient addition to the host dwelling. The house itself is set back from Harbour Crescent reducing its prominence further.

The house is situated on a corner plot location with an area of public open space to the side currently owned by Tendring District Council. The proposal itself will be set off the shared boundary and this grassed verge will act as a buffer between the development and the highway allowing the extension to appear further set back from Mayflower Avenue, thereby reducing its impact on this section of the streetscene.

The nearest row of terraced dwellings within Mayflower Avenue are set back within their respective plots which means the proposal will extend slightly past these properties. Whilst this will result in the change of the streetscape, it is noted that further to the west of the terraced dwellings there are other houses within Mayflower Avenue which differ in size and positioning thereby also extending beyond the frontage of these properties. As such the projection of the extension beyond the front of this neighbouring block of terraced dwellings would not appear as an incongruous change within the streetscene and would not result in harm to visual amenity.

The proposed front elevation shows a new balcony which serves the new first floor bedroom. This balcony will be a noticeable addition from Mayflower Avenue and Harbour Crescent. Whilst the formation of a balcony would appear as a modern feature to a fairly traditional house type its size and scale are modest allowing it to be incorporated within the extension and thereby preventing it from appearing as a prominent and unattractive feature. It is also noted that within Harbour Crescent many of the existing houses also benefit from other alterations such as Juliet balconies, dormer windows and velux rooflights and therefore a precedent for this type of feature has already been set. The balcony would therefore not be considered such a harmful feature to the proposal to refuse permission upon.

The proposal will be finished in red brick to first floor which will match the host dwelling and surrounding houses. The first floor will be finished in cream boarding which will differ to the main house, however, due to the variety of materials within the streetscene this approach would be consistent with other nearby houses and would break up the expanse of brick. The use of boarding here is therefore considered a suitable contrast to the house and would not result in a harmful impact to the appearance/ character of the streetscene.

The proposal is therefore considered a suitable addition to the existing house which would not result in a significantly harmful impact to the appearance/ character of the existing house or streetscene.

### Impact to Neighbours

The proposal will be sited to the side of the house and therefore screened by the host dwelling preventing it from resulting in a loss of outlook or light to the houses within Harbour Crescent.

Sited to the west of the site is 48 Mayflower Avenue which is a two storey end terraced dwelling. This neighbour does not benefit from any side openings meaning that the proposal would not restrict any views or lights from this elevation. The depth of this neighbour's house projects to a similar size to the width of the host dwelling meaning that its rearward facing openings are already overshadowed by the application house. The proposal will contribute to the loss of light and outlook already experienced, however, due to the limited views and light already received any further impact in this regard would be considered not so significant to refuse permission upon.

A new first floor rear window will be introduced within the extension serving a bedroom which will overlook the neighbouring gardens. Whilst this will result in a loss of privacy these gardens are already overlooked by the application house and other two storey properties. It is also noted that in the absence of side facing windows within 48 Mayflower Avenue that the new window would not achieve direct views into this neighbour's house. The loss of privacy here would not be so significant to refuse permission upon.

The proposal shows a side facing window at first floor also serving the bedroom. This window will look out onto the main highway and will not attract views into neighbour's houses or gardens.

### Representations Received

There have been two letters of representation and one letter of objection received regarding the proposal. The comments/ concerns raised are summarised below.

- Proposal will extend beyond and disrupt the building line within Mayflower Avenue.

**Officer Response** - This has been addressed within the above report.

- Width of proposal would allow no space between extension and boundary for maintenance.

**Officer Response** - The proposal will be set off the shared boundary by at least 0.9m allowing for access down the side of the house.

- The proposed extension would contribute to water build up at site and neighbours.

**Officer Response** - The house is not located within a floodzone and therefore is not deemed at risk of flooding. There is a drop in ground levels from Mayflower Avenue towards the house meaning any water run off would likely affect the host dwelling. The drainage will be checked during construction by the relevant Building Control Inspectors.

- Result in a significant impact to the "beauty" of the area.

**Officer Response** - The impact of the proposal on the character of the area has been addressed within the above report.

- The red line provided on the site plan was incorrect.

**Officer Response** - This has since been rectified by the agent and an amended site plan showing the sites correct boundaries has been provided.

### Other Considerations

Harwich Town Council makes no objections to this application.

### Conclusion

The proposed extension has been considered against national and local policy and is compliant with such. 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.

2303.1/0

2303.1/8

2303.1 - Amended Site Plan - Received 22/08/2023

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.