

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	ER	17/01/2024
Team Leader authorisation / sign off:	ML	18/01/2024
Assistant Planner final checks and despatch:	ER	18/01/2024

Application: 23/01754/FULHH **Town / Parish:** Harwich Town Council

Applicant: Mr Luke Palmer

Address: 738 Main Road Harwich Essex

Development: Erection of rear and side extension (following demolition of existing conservatory and side extension) and alterations to roof to facilitate loft conversion, including raising its height and installation of side dormer.

1. Town / Parish Council

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

2. Consultation Responses

Not required

3. Planning History

22/02084/FULHH Proposed demolition of existing conservatory and side extension for the erection of rear and side extension to include loft conversion. Approved 08.02.2023

23/01754/FULHH Erection of rear and side extension (following demolition of existing conservatory and side extension) and alterations to roof to facilitate loft conversion, including raising its height and installation of side dormer. Current

4. Relevant Policies / Government Guidance

NATIONAL:

National Planning Policy Framework 2023 (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

No emerging or adopted neighbourhood plan

5. 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.

6. Neighbourhood Plans

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

7. Officer Appraisal (including Site Description and Proposal)

Proposal

This application seeks permission for the erection of rear and side extension (following demolition of existing conservatory and side extension) and alterations to roof to facilitate a loft conversion, including raising its height and installation of side dormer.

This application is a resubmission of an earlier scheme approved under planning reference 22/02084/FULHH. The change included within this new application seeks to revise the depth of the rear extension from 2.7m to 3.62m.

Assessment Design and Appearance

The proposed side and rear extension are of an acceptable size and scale in relation to the host dwelling, with the application site able to accommodate for a proposal of this scale whilst retaining adequate private amenity space.

The extensions will be finished in render over a brick plinth to match the host dwelling and will consist of flat roofs. The proposals are considered to be of an acceptable design and appearance with no significant adverse effects on visual amenities.

The proposed loft conversion will incorporate the extension of the existing side facing roof dormer. The new dormer will be finished in cladding with a flat roof design. It is set back from the front of the dwelling and therefore is not considered to appear overly dominant within the streetscene. It is also set back from the eaves and so compliant with the guidance set out within the Essex Design Guide. The dormer is considered to be of an acceptable design and appearance.

The loft conversion also includes a change of roof design to the rear of the property, the new gable is considered to be of an acceptable design and appearance with no harmful effects on visual amenities.

The change to the depth of the extension will be a slight and acceptable change to the previous permission which will be sympathetic to the existing house and the visual amenities of the area.

Impact on Neighbouring Amenities

The rear and side extension are of a single storey nature and therefore pose no significant threat of overlooking or loss of privacy to the adjacent neighbouring dwellings. They are also located an adequate enough distance from the neighbouring dwellings as to have no significant impact on the light the adjacent properties receive.

As the extension is sited a sufficient distance away from the shared boundaries the change in depth would not result in a harmful impact to the neighbouring sites.

The proposed changes to incorporate the loft conversion have no significant impact on the loss of light to the adjacent dwellings. The windows on the proposed side facing dormer will be obscure glazed to lessen any impact on the loss of privacy to the adjacent neighbouring dwellings. These windows will also be serving an en-suite and landing, areas not deemed to be primary living spaces, further lessening any impact on the loss of privacy. A condition will be imposed to ensure that these are retained in obscure glazed form in perpetuity to safeguard the privacy of the neighbouring site. The dormer therefore does not have any significant harmful impact on the loss of privacy.

Other considerations

The proposal does not alter the existing parking provisions at the site and does not generate an additional need for parking. It is acceptable in terms of highway safety.

Harwich Town Council have no objections to this application.

No other letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

8. Recommendation

Approval - Full

9. 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.

2245-1101-
2245-1103-P1
2245-1202-P1

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. 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/s in the proposed dormer window serving the en suite and stairwell shall be glazed in obscured glass upon installation 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.

10. 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.

11. Equality Impact Assessment

In making this recommendation/decision regard must be had to the public sector equality duty (PSED) under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions that in summary include A) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; B. Advance equality of opportunity between people who share a protected characteristic* (See Table) and those who do not; C. Foster good relations between people who share a protected characteristic* and those who do not, including tackling prejudice and promoting understanding.

It is vital to note that the PSED and associated legislation are a significant consideration and material planning consideration in the decision-making process. This is applicable to all planning decisions including prior approvals, outline, full, adverts, listed buildings etc. It does not impose an obligation to achieve the outcomes outlined in Section 149. Section 149 represents just one of several factors to be weighed against other pertinent considerations.

In the present context, it has been carefully evaluated that the recommendation articulated in this report and the consequent decision are not expected to disproportionately affect any protected characteristic* adversely. The PSED has been duly considered and given the necessary regard, as expounded below.

Protected Characteristics *	Analysis	Impact
Age	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral