



**AGENT:** Stour Valley Design  
Swan Corner  
Mill Lane  
Bradfield  
Manningtree  
Essex  
CO11 2UT

**APPLICANT:** Mr Mark and Mrs Kate Rutter  
25 Station Lane  
Dovercourt  
Harwich  
Essex  
CO12 3QL

## TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO:** 24/01638/FULHH      **DATE REGISTERED:** 7th November 2024

Proposed Development and Location of Land:

**Householder Planning Application - Proposed front and rear extensions and roof extension, detached double garage with solar garden above.  
25 Station Lane Dovercourt Harwich Essex**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY REFUSE PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted for the following reason(s)

- 1 Paragraph 135 of the NPPF (2024) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place. Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context, and to protect the district's landscape and the quality of existing places and their environs.

The large size and bulk of the proposed enlargements to the dwelling would fail to appear subserviently to the host dwelling, and the use of modern materials and excessive amounts of glazing would further exacerbate its incongruous appearance, and would also appear at odds with the current design symmetry with 23 Station Lane. Furthermore, the proposed garage will be sited to the front of the site on an existing open frontage pertaining to the host dwelling. This forward positioning, as well as a significant change in ground levels towards Station Lane, will result in the structure appearing as an incongruous and prominent feature that would be detrimental to the appearance/character of the site and street scene, thereby conflicting with the above policies.

- 2 Paragraph 135 of the National Planning Policy Framework (2024) confirms planning policies and decisions should create places that are safe, inclusive and accessible and which promote health and well being, with a high standard of amenity for existing and future users.

Policy SP7 of Section 1 of the 2013-33 Local Plan requires that the amenity of existing residents is protected. Section 2 Policy SPL 3 (Part C) seeks to ensure that development will not have a materially damaging impact on the privacy, daylight or other amenities of

occupiers of nearby properties.

The proposed extensions to the dwelling and erection of a garage would result in a significant increase to the height and footprint of the existing building, which is in close proximity to the shared boundaries of 23 Station Lane, 27 Station Lane and Quinta La Mere. This excessive form of development would appear highly prominent and overbearing to occupants of Quinta La Mere and 23 Station Lane, and would also result in overlooking from rear facing openings to the garden area of 23 Station Lane. Furthermore, the introduction of side facing windows and an accessible area to the garage roof will result in significant views into the windows and current private spaces of Quinta La Mere and 27 Station Lane, thereby resulting in a significant loss of privacy. Consequently the proposal is considered to be contrary to the above local and national planning policies.

**DATED:** 2<sup>ND</sup> January 2025

**SIGNED:**




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John Pateman-Gee  
Head of Planning and Building Control

**IMPORTANT INFORMATION :-**

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

**NATIONAL:**

National Planning Policy Framework 2024 (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  
PPL4 Biodiversity and Geodiversity

Supplementary Planning Guidance:  
Essex Design Guide

Local Planning Guidance:  
Essex County Council Car Parking Standards - Design and Good Practice

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

#### Plans and Supporting Documents

The Local Planning Authority has resolved to refuse the application for the reason(s) set out above. For clarity, the refusal is based upon the consideration of the plans and supporting documents accompanying the application as follows, (accounting for any updated or amended documents):

SITE PLAN - REC'D 04/11/24

01-2024-01P

01-2024-03P

01-2024-05P

01-2024-06P

01-2024-02P

01-2024-04P

01-2024-07P

**The attached notes explain the rights of appeal.**

## NOTES FOR GUIDANCE

### WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

#### APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within the set time frame as outlined below:
  - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
  - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
  - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- Please ensure that you have read the latest procedural guidance for appeals prior to submitting an appeal. The latest guidance can be found at [Procedural Guide: Planning appeals – England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/procedural-guide-planning-appeals)
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](https://www.gov.uk/guidance/planning-appeals)

#### ENFORCEMENT

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.