

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| Planning Officer recommendation: | ER | 06/02/2025 |
| EIA Development - Notify Planning Casework Unit of Decision | N/A | |
| Team Leader authorisation / sign off: | ML | 07/02/2025 |
| Assistant Planner final checks and despatch: | ER | 07/02/2025 |

Application: 25/00012/FULHH **Town / Parish:** Harwich Town Council

Applicant: Mr Gary Gardner

Address: Gate House Parkeston Road Dovercourt

Development: Householder Planning Application - Single storey front and rear extensions.

1. Town / Parish Council

Harwich Town Council Harwich Town Council has no objection to this application.

2. Consultation Responses

Not required for this application.

3. Planning History

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|------------------|---|----------|------------|
| 03/00039/FUL | New single storey extension and new pitched roof to existing building and new detached garage | Approved | 14.02.2003 |
| 06/00647/FUL | Conservatory extension. | Approved | 31.05.2006 |
| 08/01265/FUL | Proposed single storey extension. | Approved | 12.11.2008 |
| 08/01618/FUL | Erection of single-storey extension (variation to Planning Permission 08/01265/FUL). | Approved | 28.01.2009 |
| 21/01634/LUPRO P | Proposed rear single storey extension to the existing detached garage building to provide ancillary office space to the host dwelling building. | Approved | 19.11.2021 |

4. 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 Local Plan 2013-33 and Beyond (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 made and the Minerals and Waste Local Plans adopted by Essex County Council.

5. **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>

At the time of writing, there are no draft or adopted neighbourhood plans relevant to this site.

6. **Relevant Policies / Government Guidance**

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

Supplementary Planning Guidance:

Essex Design Guide

7. **Officer Appraisal (including Site Description and Proposal)**

Application Site

The application site comprises of a detached building located within the development boundary of Harwich and Dovercourt. The house benefits from a number of previous additions including a conservatory to its front elevation and is finished in a mixture of light coloured render and grey weatherboarding.

The house is set close to its front boundary shared with the access track and is orientated so that its “front elevation” faces north. The site is accessed via a large front gate and also benefits from an existing annexe building.

The house along with neighbours to the north are located in Parkeston Road however form a small cul de sac formation which is set just off of the main highway and accessed via a small track to the north. Along the western boundary which is shared with Parkeston Road is a significant amount of planting which screens much of the house from the public realm. There is also a drop in ground levels between Parkeston Road further reducing its views.

Sited to the south is an area of open space and to the west an existing footpath known as “The Hangings.”

Proposal

This application seeks planning permission for the following:

- Single storey side extension labelled on the plans as “Hall Area.” This extension will measure 6.5m in depth and 2.955m in width and finished in render to match the host dwelling.

- Single storey front addition labelled as “Garden Room Area” measuring 3.425m in width and 10.725m in depth. This extension will be finished in grey weatherboarding. This extension will replace the existing conservatory currently in situ.

Assessment

Visual Impact

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 proposed additions will be to the side of the existing house and therefore publicly visible from the “access lane” and users of the nearby footpath to the east. The enlargements are single storey and will be set back from the site's boundary reducing their prominence. Moreover, they are largely screened by the existing front access gate and other aspects of the host dwelling further reducing their impact. The use of materials similar to the existing house will allow the new elements to blend appropriately with the host dwelling and their setting off the side boundaries will prevent them from appearing cramped within the street scene.

The proposed additions are considered a suitable size and design which are appropriate to the host dwelling and will be finished in materials which are considered appropriate as such. The site is of an appropriate size to accommodate the proposed enlargements whilst allowing for sufficient amenity private amenity space to be retained.

Sited to the rear the site shares its boundary with “Parkeston Road.” This boundary comprises mainly of planting with a noticeable drop in ground levels between the highway and application site making the host dwelling largely inconspicuous in views achieved from this section of the public realm. The proposal will also be screened by the existing planting and would not appear prominent within this part of the street scene.

The proposal is therefore considered suitable to the existing house and would not result in a detrimental harm to the character/ appearance of the host dwelling or its locale.

Highway Safety

Paragraph 115 of the National Planning Policy Framework 2024 seeks to ensure that safe and suitable access to a development site can be achieved for all users, whilst Paragraph 109 requires that streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.

Adopted Policy CP1 (Sustainable Transport and Accessibility) of the Tendring District Local Plan 2013-2033 states that planning permission will only be granted if amongst other things; access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate, and the design and layout of the development provides safe and convenient access for people.

The Essex County Council Parking Standards states that where a house comprises of two or more bedrooms that 2no parking spaces should be retained which measure 5.5m by 2.9m per space.

The proposal will be constructed on an existing area of land used as a mixture of garden/ parking at the site. The plot itself is large in size with an existing area to the front which will be retained and is of a suitable size for the off-street parking of at least two vehicles in line with the above standards. The proposal will therefore not contravene highway safety.

Impact to Neighbours

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 proposal is of a single storey nature which will be sited sufficiently away from the shared boundaries of the plot and screened by existing fencing, planting and ancillary buildings preventing it from resulting in a significant loss of amenities to neighbouring sites.

Ecology and Biodiversity

The Natural Environment and Rural Communities Act 2006 amended by the Environment Act 2021 provides under Section 40 the general duty to conserve and enhance biodiversity: "For the purposes of this section "the general biodiversity objective" is the conservation and enhancement of biodiversity in England through the exercise of functions in relation to England." Section 40 states authorities must consider what actions they can take to further the general biodiversity objective and determine policies and specific objectives to achieve this goal. The actions mentioned include conserving, restoring, or enhancing populations of particular species and habitats. In conclusion for decision making, it is considered that the Local Planning Authority must be satisfied that the development would conserve and enhance.

This development is subject to the general duty outlined above. An informative has been imposed strongly encouraging the applicant to improve the biodiversity of the application site through appropriate additional planting and wildlife friendly features. Therefore, the development on balance, with consideration of the impact of the development and baseline situation on site, is considered likely to conserve and enhance biodiversity interests.

Biodiversity net gain (BNG) is an approach that aims to leave the natural environment in a measurably better state than it was beforehand. This excludes applications for householder development. This proposal is not therefore applicable for Biodiversity Net Gain.

In accordance with Natural England's standing advice the proposed development site and surrounding habitat have been assessed for potential impacts on protected species. It is considered that the proposal is unlikely to adversely impact upon protected species or habitats.

In accordance with the overarching duty outlined above, this development is considered to accord to best practice, policy, and legislation requirements in consideration of the impacts on ecology interests.

Other Considerations

Harwich Town Council has no objection to this application.
There have been no letters of representation received.

Conclusion

The proposal is therefore considered to be compliant with national and local policy as assessed in the above report. In the absence of material harm resulting from the proposed development the application is recommended for approval.

8. Recommendation

Approve

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

- Site Plan - Rec'd 08.01.25
- 54-2024-03p - Proposed Ground Floor Plan - Rec'd 08.01.25
- 54-2024-04p - Proposed Elevations - Rec'd 08.01.25
- 54-2024-05p - Existing And Proposed Block Plans - Rec'd 08.01.25

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.

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.

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.

Ecology Informative

In accordance with the Council's general duty to conserve and enhance biodiversity, you are strongly encouraged to improve the biodiversity of the application site through appropriate additional planting and wildlife friendly features. Suggested enhancements could include:

<https://www.rhs.org.uk/wildlife/in-the-garden/encourage-wildlife-to-your-garden>

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 |

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|--------------------|---|---------|
| 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 |

12. Notification of Decision

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|---|--|----|
| Are there any letters to be sent to applicant / agent with the decision? If so please specify: | | NO |
| Are there any third parties to be informed of the decision? If so, please specify: | | NO |
| Has there been a declaration of interest made on this application? | | NO |