

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	23/07/2018
Planning Development Manager authorisation:	AN	24/7/18
Admin checks / despatch completed	AP	25/7/18

MAE

Application: 18/00853/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr F Beach

Address: 37 Gorse Lane Clacton On Sea Essex

Development: Demolition of existing conservatory, erection of single storey rear & side extensions, garage conversion and internal alterations.

1. Town / Parish Council

n/a

2. Consultation Responses

n/a

3. Planning History

18/00853/FUL	Demolition of existing conservatory, erection of single storey rear & side extensions, garage conversion and internal alterations.	Current
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4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework
National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG9 Private Amenity Space

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Essex Design Guide

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with

national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. Importantly the Inspector has confirmed that the housing requirement for Tendring of 550 new homes per annum for the period up to 2033 is based upon sound evidence. There are however concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years worth of deliverable housing land against their projected housing requirements (plus a 5% or 20% buffer to ensure choice and competition in the market for land). If this is not possible, housing policies are to be considered out of date and the presumption in favour of sustainable development is engaged with applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not.

The Council can demonstrate, with robust evidence, a five-year supply of deliverable housing sites and this has been confirmed in recent appeal decisions. This is based on a housing requirement of 550 dwellings per annum which has been confirmed as sound by the Inspector for the Local Plan examination. Therefore policies for the supply of housing are not out of date and applications for housing development are to be determined in accordance with the Local Plan.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is north east facing and situated within the development boundary of Clacton on Sea. The main property is a detached bungalow finished in pebbledash with a concrete tile roof. A single garage is attached to the eastern side of the bungalow. The whole area in front of the bungalow is finished with block paving and hardstanding. The side boundaries are defined by fencing while a low level wall defines the front boundary. The rear garden is mainly laid to grass with a 1.8 metre high fence on all sides. The bungalow has been previously extended to the rear.

Description of Proposal

The application proposes the erection of a single storey rear and side extension and garage conversion. The single storey side extension will join the back of the garage and the western side of the house. The side extension will measure a maximum of 4.79 metres in depth, 2.8 metres in width with an overall flat roof height of 3.1 metres. One roof light will be inserted and the extension will serve a bathroom with a small window at the rear. The rear extension will replace the existing conservatory and will serve an extended lounge. A window on each side and double opening doors at the rear offer light to the new space. The existing garage will be converted to living accommodation which will extend an existing bedroom where a new window will replace the existing up and over garage door. The external finish of the side elevation of the side extension will be light brown brick. All other external surfaces will be finished in render. The flat roof of the extensions will be felt, with white UPVC windows and doors.

Assessment

The design and appearance, impact on neighbouring properties and residential amenity are the main considerations for this application.

Design and Appearance

The rear and side extensions will not be visible from Gorse Lane ensuring there will be no significant impact to the street scene. The proposed rear and side extension replaces the existing conservatory at the rear thereby reducing the additional footprint that is created. The low level flat roof and scale of the extensions are in keeping with the existing dwelling along with the use of render and white UPVC windows and doors.

The window which will replace the up and over garage door on the front elevation will be in keeping with the bungalow and will tie in with the existing front windows.

Impact upon Residential Amenity

There will be no significant impact to the next door neighbour at 39 Gorse lane due to the rear extension being a distance of 4.5 metres from the shared side boundary.

The proposed side extension will abut the side boundary shared with the next door neighbour at 35 Gorse Lane, and due to its close proximity could result in loss of light to the property.

The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window, being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the single storey rear and side extensions would intercept less than half of the rear garage personal door in elevation. The 45 degree line from the single storey rear and side extensions would intercept the rear garage personal door of 35 Gorse Lane in plan. The loss of light that the proposal will cause is not to any living areas of 35 Gorse Lane and is not considered so significant as to justify refusing planning permission on these grounds.

There is no significant additional risk of overlooking or loss of privacy from the rear and side extension due to its single storey nature.

The removal of the existing single garage is acceptable as it did not meet the required garage parking standard where the internal dimensions should measure 7 metres x 3 metres and more than two cars are able to park off the road on the driveway which meets current parking standards where one parking space measures 5.5 metres x 2.9 metres. More than 190 square metres of private amenity space remains following the construction of the proposal which is considered more than adequate.

Other Considerations

No letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be begun before 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 the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Job No/G.L 2 Site Plan 1:500 and Job No GL/1 showing proposed elevations and floor plan

Reason - For the avoidance of doubt and in the interests of proper planning.

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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO