

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	30/07/2018
Planning Development Manager authorisation:	AN	30/7/18
Admin checks / despatch completed	AN	31/7/18

Application: 18/00840/FUL

Town / Parish: Clacton Non Parished

Applicant: Mr Craig Hawkins

Address: 106 Madeira Road Holland On Sea Clacton On Sea

Development: First floor side extension.

1. Town / Parish Council

n/a

2. Consultation Responses

n/a

3. Planning History

13/00658/FUL	Single storey rear and side extension following demolition of existing detached garage.	Approved	01.08.2013
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18/00840/FUL	First floor side extension.	Current	
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4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018
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
HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 48 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. They raise 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 48 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.

5. Officer Appraisal

Site Description

The application site is north west facing and situated within the development boundary of Clacton on Sea. The main property is a detached house, with a red brick plinth and finished in pebbledash under a plain tile roof. The single storey rear and side extension approved under reference number 13/00658/FUL is finished in red brick with a flat roof. In front of the house is room for off road car parking in the form of hardstanding and paving. To the rear, the back garden is enclosed by fencing, mainly laid to grass with mature shrubs and trees.

Description of Proposal

The application proposes a first floor side extension above the existing garage. The side extension will measure a maximum of 4 metres in depth, 2.6 metres in width, with an overall ridge height of 6.85 metres. The proposal will be finished in matching render, UPVC windows and plain roof tiles. The proposal will create an enlarged bedroom.

The submitted drawings show further proposals; a rear hip to gable roof conversion, a roof light in the front roof slope and a side dormer. These proposals have been checked against the relevant planning history for the property and relevant planning legislation and we consider that a planning application is not required in this instance as the proposals are classed as permitted development.

Assessment

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

Design and Appearance

The first floor extension will be visible from Madeira Road, however its set back position ensures it will not be a prominent feature in the street scene. The hip of the new extension roof will match that of the existing dwelling. The external facing materials will also match helping to blend the new with the old and ensuring that the character of the original house and immediate area is not significantly harmed.

Impact upon Residential Amenity

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4 metres in height, as in this case. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary. The first floor extension is a distance of just under 1 metre from the side boundary shared with 108 Madeira Road and although this does not meet the recommendation, on balance the impact of the extension would not be significantly different if there was a distance of 1 metre to the side boundary. The hipped roof of the first floor extension, the depth of the extension of 4 metres and the retention of the alleyway immediately adjacent to the neighbouring property of 108 Madeira Road ensures that there is no significant impact to this neighbour.

Due to the position of the first floor extension, the orientation of the properties along this side of Madeira Road and the placement of the windows on the north and south elevations of the proposal there will be no significant impact to 108 Madeira Road in terms of loss of light, loss of privacy or outlook.

The private amenity space and off road car parking will not be affected by the proposal.

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 / Reasons for Refusal

- 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: Drawing no. 01 Revision A

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