

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	30/07/2018
Planning Development Manager authorisation:	SCE	31.07.18
Admin checks / despatch completed	AP	31/7/18

**Application:** 18/00849/FUL **Town / Parish:** Clacton Non Parished  
**Applicant:** Mr Mitchell Sharp  
**Address:** 4 Brockham Close Clacton On Sea Essex  
**Development:** Erection of outbuilding with an extension to the existing garage

### 1. Town / Parish Council

Clacton is non parished.

### 2. Consultation Responses

Not Applicable

### 3. Planning History

18/00849/FUL Erection of outbuilding with an extension to the existing garage Current

### 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

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 (including Site Description and Proposal)**

### Site Description

The application site is 4 Brockham Close, Clacton on Sea which is a two storey detached dwelling located within the development boundary of Clacton.

### Proposal

The application seeks planning permission for the erection of an outbuilding with an extension to the existing garage. The proposed out building is constructed from two elements, the larger of the two will measure 3.5 metres in width, 7.3 metres in depth with an overall height of 5 metres. The smaller element of the outbuilding will measure 2.9 metres in width, 4.8 metres in depth with an overall height of 4.5 metres.

The extension to the outbuilding to the existing garage will measure 2.25 metres in width, 5.25 metres in depth with an overall height of 4.5 metres.

### Assessment

The main considerations for this application are the design and appearance, the impact upon neighbouring amenities and parking.

### Design and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The proposed outbuilding and garage extension is situated to the north of the application site with views of the proposal from Brockham Close. Due to the approximate distance of 13 metres away from the highway and the single storey nature of the proposal, it is considered that it will not cause

any significant impact upon the street scene. The outbuilding and extension to the garage is considered to be fairly large, however sufficient private amenity space is retained to the east of the application site therefore not creating a cramped appearance.

The design of the proposed extension is therefore considered acceptable in terms of the design and appearance and policies within Tendring District Local Plan (2007).

#### Impact upon neighbouring amenities

The proposal will not be visible to the neighbouring dwelling 2 Brockham Close as it is located to the north of the application site. The application site is surrounded by fields to the north and although the proposed outbuilding maintains a 0.2 metre distance to the rear boundary and a 2.45 metre distance from the extension to the garage, the proposed roof slopes away from the boundary, ensuring that there is no loss of light or impact. The proposal will be visible to the adjacent neighbour number 3 Brockham Close. The extension maintains a 2.5 metre distance to the neighbouring boundary and due to the single storey nature of the proposal as well as the pitched roof which is in keeping with the character of the existing dwellings; it is considered that the proposal will not cause any significant impact upon neighbouring amenities.

#### Parking

The proposed extension to the existing garage will see the increase of 2.5 metres in width to 4.8 metres in width with a depth of 5.4 metres. Although this falls short of the Essex Parking Standards there is sufficient room to the front of the application site to accommodate parking spaces.

#### Other considerations

Clacton is non parished.

No letters of representation have been received.

#### Conclusion

Having taken all of the considerations into account, it is considered that there is not significant material harm as a result of the development and therefore 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

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.

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