

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NM	31/07/18
Planning Development Manager authorisation:	SCE	01.08.18
Admin checks / despatch completed	AP	1/8/18

*Handwritten initials*

**Application:** 18/00669/FUL                      **Town / Parish:** Little Clacton Parish Council  
**Applicant:** Mr & Mr John & Michael Falzon & Gawn  
**Address:** 153 Harwich Road Little Clacton Clacton On Sea  
**Development:** Replacement Dwelling

### 1. Town / Parish Council

Little Clacton Parish  
Council

Recommends approval of this application.

### 2. Consultation Responses

ECC Highways Dept

The Highway Authority does not object to the proposals as submitted.

Note: No proposed new or altered vehicular access.

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO1 - Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester  
CO4 9YQ

### 3. Planning History

18/00669/FUL

Replacement Dwelling

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

HG9 Private Amenity Space

HG14 Side Isolation

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

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

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 an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing delivered over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line with the plan-led approach.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Site Description

The application site is 163 Harwich Road, Little Clacton a single storey dwelling located within the development boundary of Little Clacton. Harwich Road is a residential area, comprising of a mixture of dwellings varying in sizes and types.

### Proposal

The application proposes the replacement of the existing dwelling with a new one storey dwelling. The dwelling will comprise of 2 bedrooms and will be located in a similar position to the existing dwelling.

The external materials are proposed to be smooth rendered walls with natural slate tiles to the roof with felt flat roof to the rear. The windows and doors will be constructed from white UPVC.

### Assessment

The main considerations for this application are; principle of development, design and appearance, impact upon neighbouring amenities and parking.

### Principle of development

The application site lies within the Settlement Development Boundary of the Tendring District Local Plan (2007) but lies outside the Settlement Development Boundary of the Emerging Tendring District Local Plan 2013-2033. The principle of development is therefore considered acceptable subject to the considerations listed below.

### 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 dwelling is of a similar design to the existing dwelling with a change in fenestration and the introduction of a flat roof to the rear extension. These changes are considered to be a visual improvement and therefore its replacement with a slight change of design will enhance the character of the area.

The materials proposed; smooth render, natural slate roof to the main dwelling with a felt flat roof to the extension with White UPVC windows and doors are all considered to be acceptable in terms of design and are sympathetic to the character of the area.

## Impact upon the neighbouring amenities

As the dwelling is following a similar footprint to the existing dwelling, it is considered that the impact upon the neighbouring amenities remains unchanged.

The proposal will maintain a 1.05 metre distance to the neighbouring boundary to the north east, number 155 which complies with Policy HG14 of the Tendring District Local Plan 2007. There are three windows proposed along the side elevation facing the neighbouring dwelling however, the existing fence will help to screen any views into the neighbouring amenities.

To the south west of the application site is a track and due to the distance of 5 metres to the proposal, it is considered that there will be no impact.

## Highway Safety

Highways have been consulted on this application and do not wish to raise any objections to the proposal. The access and parking remains unchanged with the ability of the site to be able to accommodate two parking spaces measuring 5.5 metres by 2.9 metres in accordance with Essex Parking Standards.

## Other Considerations

Little Clacton Parish Council has no objection to the proposal.

1 letter of support has been received for this application.

## Conclusion

In the absence of significant material harm as a result of the proposed development, this 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 D

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.

### Highways

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