

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	08/08/2018
Planning Development Manager authorisation:	SCE	10-08-18
Admin checks / despatch completed	PWS	5/8/18

**Application:** 18/01006/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mrs X. Yang

**Address:** 5 Hythe Close Clacton On Sea Essex

**Development:** Proposed entrance lobby to replace existing.

### 1. Town / Parish Council

Clacton non parished

### 2. Consultation Responses

Not applicable

### 3. Planning History

87/00567/FUL	Construction of 133 houses, garages, parking spaces, estate roads and ancillary works (submission of part details under permission TEN/1521/86)	Approved	07.07.1987
86/01521/OUT	Construction of mixed resort development to include museum complex, watersport facilities and car park, leisure related complex, shelteres housing apartments, holiday village flats and housing with ancillary shopping	Approved	23.12.1986
18/01006/FUL	Proposed entrance lobby to replace existing.	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

QL3 Minimising and Managing Flood Risk

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Application Site

The application site comprises of a south west facing two storey detached dwelling "5 Hythe Close." The dwelling has been constructed from brick with a noticeable glazed porch to the front. The house is set back on its plot with parking to the front. Sited to the west is a double garage which is shared between the host dwelling and 3 Hythe Close.

### Proposal

This application seeks permission for the erection of a new porch to the front of the dwelling.

### Assessment

#### Design and Appearance

The immediate area comprises of predominantly two storey detached dwellings which have been constructed from either brick or render many of which benefit from existing porches.

The proposal will be sited to the front and publicly visible however as a result of its single storey design and set back from the front of the site by 8m would not appear as a prominent feature.

The existing porches within the area are of a hipped roof design varying in different materials with the host dwellings existing porch being constructed mainly from UPVC. The proposal seeks to continue the use of UPVC changing the existing porch from a front gable facing roof to a hipped roof design. It is considered that the change in design would be inkeeping with the other properties within the immediate area and the continued use of UPVC would not be a significant change to the existing porch.

It is therefore considered due to its minor nature as well as consistency with other properties within the area that the proposal would not result in a significant harmful impact to the appearance and character of the dwelling or area.

#### Highway Safety

The proposed enlargement will be larger than the existing porch and will encroach upon the front of the site currently used as parking. The front of the site comprises of a hardsurfaced area which is of a large enough size to facilitate this proposal and still retain sufficient parking for two vehicles in line with the Essex County Council Parking Standards. It is considered that the proposal would not result in a harmful impact to highway safety.

#### Flood Risk

The application site is located within the National Flood Risk areas 2 and 3. As the proposal is for a replacement of a non-habitable area of the house it is considered that there would be no additional harm in terms of flood risk.

A flood risk assessment has been carried out and has been provided which confirms that the proposal would not result in a significant impact to flood risk.

#### Impact on Neighbours

The proposal is a minor alteration which will be visible to the neighbouring properties however due to its nature and siting away from neighbouring boundaries would not result in a loss of residential amenities to them.

#### Other considerations

Clacton is non parished and therefore no comments required for this application.  
No letters of representation have been received.

#### Conclusion

In the absence of material harm resulting from the proposed 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: Drawing No 1 and Flood Risk Assessment received on 19th July 2018.

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.