



4 The parking spaces / vehicular hardstandings shall be constructed to minimum dimensions of 6.0m x 3.0m and retained thereafter.

Reason: To encourage the use of off-street parking, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

5 No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

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

18/01053/FUL	Proposed erection of new two bedroom dwelling within ground of existing dwelling.	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

HG3 Residential Development Within Defined Settlements

HG6 Dwelling Size and Type

HG7 Residential Densities

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)

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

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 445 St Johns Road, Clacton on Sea, which is a two storey semi-detached dwelling located within a residential area. The property is at the end of a row of semi-detached properties set back off of St. John's Road behind a grass/planted verge.

### Proposal

The application seeks planning permission for the erection of a two bedroom dwelling within the grounds of the existing dwelling. The proposal will measure 5.35 metres in width, 8.9 metres in depth with an overall height of 7.1 metres. The proposal will create a terrace of dwellings. The front elevation will comprise of two ground floor windows serving the kitchen and dining room. To the first floor there are two windows proposed which will serve the bedroom and bathroom. There is a door to the ground floor side elevation which will be the main entrance to the dwelling. To the rear of the proposed dwelling, there is a single storey element which will serve the extended living room with bifold doors which will open out onto the rear garden. To the first floor are two windows which will serve the stairway and a bedroom.

### Assessment

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

### Principle of development

The site is located within the Settlement Development Boundary of Clacton-on-Sea as defined within both the adopted and emerging Tendring District Local Plans.

Clacton-on-Sea is defined as one of the districts strategic centres being highly sustainable with many public transport links, a vast array of amenities and employment opportunities.

The principle of residential development in this sustainable location is therefore accepted subject to the detailed considerations set out below.

### Design and Appearance

The proposed dwelling is a continuation of the existing dwellings in an area characterised by semi-detached and terraced dwellings in a linear arrangement. The dwelling will sit in line with the front

elevation of the adjoining neighbour and be of the same proportion and design. The proposed dwelling incorporates fenestration, window detailing and brick detailing that mimics the adjoining dwelling. The dwelling introduces a single storey element which will have a dual pitched roof and it will be constructed of matching materials to those used within the host dwelling.

Whilst it is recognised that the development is sited on the side boundary, the public footpath will ensure that there is a visual break retained in the street scene with no scope for its enclosure without the benefit of planning permission. The dense character of the area means that the proposal will simply appear as infill development, in keeping with the built up character and not appearing prominent or harmful within the street scene.

Policy HG9 of the Saved Tendring Local Plan 2007 states that private amenity space for a dwelling of two bedrooms or more should be a minimum of 75 square metres. The submitted plans show that this will comfortably be achieved for both the proposed and the existing dwelling. Therefore, it is considered that the siting and design of the proposed dwelling is acceptable within this location.

### Impact upon neighbours

The proposal introduces a new dwelling in an end of terrace location adjacent to a public footpath. There are no windows proposed on the easterly side elevation to reduce any impact of overlooking. No. 443 St Johns Road is located approximately 14 metres away from the neighbouring boundary and due to the sufficient distance as well as the existing public footpath, it is considered that there will be no impact upon neighbouring amenities to the east. The windows to the rear will have views to the playground located to the retaining a distance of approximately 13 metres. It is therefore considered due to the sufficient distance, the proposal will not cause any significant impact upon neighbouring amenities.

The proposal will be visible to the neighbouring dwelling, no. 445 St Johns Road. The impact in terms of sunlight and daylight lost is not considered to be harmful, as per the Essex Design Guide, which states that the 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. The neighbour to the west, number 445 will be affected by the single storey element to the rear of the proposed dwelling and will fail the combined plan due to the close proximity to the neighbour. However, due to the affected opening having a secondary window, the garden being south facing as well as the proposal being single storey with a hipped roof, it is considered that the proposal is not significant enough to warrant a reason for refusal.

### Parking provision

Essex County Council Highways have confirmed that they do not object to the application. Adopted Car Parking Standards state that for a dwelling of two or more bedrooms, provision should be made for a minimum of two parking spaces measuring 5.5m x 2.9m or a garage, if being used as one of the parking space, should have a minimum internal measurement of 7m x 3m. The submitted plans show the two parking spaces to the front of the dwelling and therefore the proposal is acceptable in terms of parking provision.

### Other considerations

Clacton is non parished.

No letters of consideration have been received.

### Conclusion

The proposal does not result in any material harm and therefore it 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 Prior to the first occupation of the proposed dwelling, the proposed vehicular access shall be constructed to a width of 5.5m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

Reason: To ensure that all vehicles using the private drive access do so in a controlled manner and to ensure that opposing vehicles may pass clear of the limits of the highway, in the interests of highway safety

- 3 No unbound materials shall be used in the surface treatment of the proposed vehicular access throughout.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety

- 4 Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants of that dwelling, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To promote the use of sustainable means of transport

- 5 The parking spaces / vehicular hardstandings shall be constructed to minimum dimensions of 6.0m x 3.0m and retained thereafter.

Reason: To encourage the use of off-street parking, in the interests of highway safety

- 6 No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
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- iv. wheel and under body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety

- 7 The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg No. P01c

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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653 The Crescent,  
Colchester  
CO4 9YQ

<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