

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	20/09/2018
Planning Development Manager authorisation:	SCE	20.09.18
Admin checks / despatch completed	ER SB	20/09/18 20/09/18.

**Application:** 18/01197/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr & Mrs Watson

**Address:** 19 Trafalgar Road Clacton On Sea Essex

**Development:** Proposed loft conversion including six velux rooflights.

### 1. Town / Parish Council

Clacton is non parished

### 2. Consultation Responses

Not Applicable

### 3. Planning History

18/30113/PREAPP Loft conversion to first floor flat. 10.07.2018

18/01197/FUL Proposed loft conversion including six velux rooflights. 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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 19 Trafalgar Road, Clacton which is a two storey dwelling comprising of two flats. The proposed site is situated within a residential area comprising of detached and semi-detached dwellings. The site falls within the Settlement Boundary of Clacton-on-Sea, as agreed within the Tendring Local Plan 2007.

### Description of Proposal

This application seeks planning permission for a loft conversion to the first floor flat that will incorporate six rooflights. Three rooflights are proposed to the front elevation that will serve a bedroom and landing and three rooflights are proposed to the rear elevation that will serve the bedroom and ensuite.

### Assessment

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

### Visual Impact

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 conversion of the existing loft to create additional living accommodation to the first floor flat will not impact upon the height of the existing building. It will introduce three roof lights to the front elevation which will be visible to the street scene of Trafalgar Road. The roof lights are poorly positioned and are of various sizes and therefore are not considered to be of a good design. However on balance, the harm caused by the roof lights are not significant enough to warrant a reason for refusal.

There are three rooflights proposed to the rear of the building however there will not be visible to Trafagar Road and therefore will not impact upon the street scene. There are examples of loft conversions comprising of dormer windows along Trafagar Road windows and therefore it is considered that the proposal will not cause any significant impact upon the street scene.

#### Impact upon neighbouring amenities

The proposed front roof lights will be visible to both adjacent neighbours however they will not result in any overlooking to any private amenity scape, thereby resulting in a neutral impact to existing amenities.

The rear rooflights will have the potential to cause overlooking upon the adjacent neighbours however, due to the proposal having existing first floor windows, it is considered that the proposal is not significant enough to warrant a reason for refusal. The rear roof light serving the ensuite is high level meaning that there will be no overlooking. It is therefore considered that the proposal will not cause any significant impact upon neighbouring amenities.

#### Parking

The addition of an additional bedroom as proposed to an existing two bed flat does not generate the need for any additional parking provision.

#### Other considerations

Clacton is non parished

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 / 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.

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