

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	02/10/2018
Planning Development Manager authorisation:	AN	4/10/18
Admin checks / despatch completed	KAE SB	05/10/18. 05/10/18.

**Application:** 18/01334/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr & Mrs Nicholson

**Address:** 32 Clarendon Park Clacton On Sea Essex

**Development:** Proposed single storey rear extension , roof lantern and a new window to the west elevation.

### 1. Town / Parish Council

n/a

### 2. Consultation Responses

n/a

### 3. Planning History

07/00239/FUL	Extension and alterations.	Approved	05.04.2007
11/00426/FUL	Extension and alterations.	Approved	27.05.2011
18/01334/FUL	Proposed single storey rear extension, roof lantern and a new window to the west elevation.	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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Site Description

The application site is south facing and situated within the development boundary of Clacton on Sea. The main property is a detached bungalow finished externally with painted render under a tiled roof. A single flat roof garage is attached to the eastern side of the bungalow at the end of the driveway. A grassed front garden is enclosed by a low level stone wall. To the rear, the garden is enclosed by fencing on all sides, is laid to grass bordered by flower beds and mature shrubs. The back garden slopes down northwards. Half way down the back garden is an archway with trellis which creates a divide and leads through to the vegetable plot.

### Description of Proposal

The application proposes the erection of a single storey flat roof rear extension which will adjoin the side of the existing garage. The proposal will measure a maximum of 3.3 metres in depth (reducing to 2.6 metres), 8.23 metres in width (reducing to 7.8 metres) with an overall flat roof height of 3.1 metres. A roof lantern inserted into the flat roof will allow light into the newly created room along with 3.987 metre bi-fold doors on the rear elevation. Two smaller windows will sit each side of the bi-fold doors at the rear, one serving the new w.c. A new window will be created on the western side elevation which serves an existing bedroom. The extension will be finished in painted render with white UPVC windows and doors. The new bedroom window will not form part of this application as it is considered permitted development and does not require planning permission.

### Assessment

The design and appearance, impact on neighbouring properties and residential amenity are the main considerations for this application.

### Design and Appearance

The proposal which is sited at the rear of the property will not be seen from Clarendon Park and therefore there will be no significant impact to the street scene. The use of matching materials helps the extension to blend in with the original bungalow ensuring there will be no significant harm to the character of the existing dwelling or the immediate area. The height of 3.1 metres is more than would normally be expected of a single storey rear extension with a flat roof however the sloping nature of the back garden requires the extension to be built at this height to create level floors internally. The height at the base of the extension, below the bi-fold doors, created to make the internal floors level will be concealed by steps which lead to the garden improving the appearance of the rear elevation.

### Impact upon Residential Amenity

The properties of 30 and 34 Clarendon Park are two storey and one and a half storey houses respectively. There are no openings on either side of the proposed rear extension. There is a

distance of 3 metres from the proposal to the eastern side boundary shared with 30 Clarendon Park. This distance from the side boundary along with the position of the single attached garage at the host dwelling provides a degree of separation between the properties ensuring that there will be no significant impact to this neighbour in terms of loss of light, loss of privacy or overlooking. There is a distance of 0.6 metres from the proposal to the western side boundary shared with 34 Clarendon Park. The garage at number 34 is positioned so it provides an element of screening to the proposal from the garden of number 34. The steps which lead from the extension to the garden are similar to those which lead from the current kitchen and provide safe access to the garden and patio area. If the garage at number 34 was removed, the orientation of the properties of 32 and 34 ensure that there would be no significant impact to this neighbour in terms of loss of light, loss of privacy or overlooking.

More than 300 square metres of private amenity space remain following the construction of the proposal which is considered more than adequate. There is no change to the off road car parking provision.

#### Other Considerations

One letter raising concerns about the loss of privacy the proposal will cause has been received. The letter includes the following matters:

- New bedroom window will either look directly into our conservatory or onto the area of our back garden next to the house – the area we use the most.
- Overlooking from the new extension and the veranda

The new bedroom window is considered permitted development and does not form part of this planning application. The second point raised has been answered in the report.

No other letters of representation have been received.

#### Conclusion

In the absence of any material harm resulting from the 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. PL 12 Rev A and PL 13 Rev 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> 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