

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	03/10/2018
Planning Development Manager authorisation:	SCE	05-10-18
Admin checks / despatch completed	SB	05/10/18

AP

**Application:** 18/01445/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr Daniel Holding

**Address:** 1-33 Howard Vyse Court Clacton On Sea

**Development:** Replacement of hanging tiles with render (including new insulation).

### 1. Town / Parish Council

Clacton is non parished

### 2. Consultation Responses

**Tree & Landscape Officer** The site is affected by Tree Preservation Order 84/17/TPO however the proposed removal of existing hanging tiles and replacement with render will be unlikely to cause harm to trees that are situated in the vicinity of the proposed improvement works.

### 3. Planning History

01/02163/FUL	Small extension to existing bay window to provide an office facility	Approved	17.01.2002
16/01204/TPO	Purple Beech - remove branches from telephone wires, excavate trial pit to ascertain root location with regard to drains	Approved	30.08.2016
17/01585/TPO	1 No. Beech, 1 No. Cedar - reduce/remove side branches on highway side to allow clear view for CCTV cameras.	Approved	17.10.2017
18/01445/FUL	Replacement of hanging tiles with render (including new insulation).	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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)**

### Application Site

The application site comprises of 33 flats which are of a two storey design. The site is accessed off of St Johns Road with a car park and garden area in the middle. The surrounding dwellings face this garden and car park area with a small number of dwellings facing St Johns Road. Sited along the front boundary is an existing low boundary fence with some planting and trees. The site also has a small office building which does not form part of this application.

### Proposal

This application seeks permission for the replacement of hanging tiles with render to the existing properties.

### Assessment

#### Design and Appearance

The application site is located off of St Johns Road with a small number of the properties directly facing onto the highway. The remainder of the dwellings are accessed between two of the properties and centre around an existing car park and garden area. The neighbouring dwellings in this area vary in design and size with many being constructed from either brick or render. Many of the surrounding dwellings are set back on their plots with driveways and boundary walls to the front. The site is not located within the existing conservation area and is therefore not awarded special protection.

As a result of the number of dwellings contained within the application site and its location the proposed change in materials will be a noticeable feature within the streetscene.

The dwellings facing St Johns Road are set back from the highway with a low fence and planting sited along the boundary. This set back and minimal screening will assist in softening the appearance of the change of materials.

As the surrounding area comprises of a variety in materials it is considered the change to render would not be out of keeping with the area or have a negative impact on the streetscene.

The colour of render specified has been white/cream and as the area comprises of predominantly white and cream render it is considered this colour is in line with the surrounding dwellings and appropriate to the area.

The alteration will change the appearance and character of the properties however as the materials are consistent with the area it is considered that this change would not have a negative impact to the existing areas character.

#### Impact on Neighbours

The proposal is of a minor nature which would not result in a harmful impact to the neighbouring sites.

#### Protected Trees

There are a number of protected trees which are present on the site and some on the neighbouring site which overhang onto the site. As part of the application process Councils Tree and Landscape Officer has been consulted as part of the application and has provided no objection to the proposal as the proposal is for improvement works which will not impact the existing trees.

#### Other Considerations

Clacton is non parished and therefore no comments are required.  
No further comments 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: IMG\_2676.

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.