

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	11/10/2018
Planning Development Manager authorisation:	SCE	11.10.18
Admin checks / despatch completed	SB	15/10/18

Application: 18/01153/FUL **Town / Parish:** Clacton Non Parished AP

Applicant: Mr & Mrs Turtle

Address: 20 Falcon Way Clacton On Sea Essex

Development Proposed single storey side extension (following demolition of extension).

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

N/A

3. Planning History

18/01153/FUL Proposed single storey side extension (following demolition of extension). 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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 located at the end of the cul de sac to the south of Falcon Way, inside the development boundary of Clacton on Sea. It serves a semi detached two storey dwelling constructed of brick and a tile roof with white boarding at first floor on the front elevation and render on the rear elevation. A single storey projection exists to the east side of property, incorporating a conservatory style addition to the rear of this. Gated access divides the front and rear of the site. The site has an open frontage and is mostly concrete with adequate space for parking 2 no. cars. An area of grass and hedging is located to the west side of the plot dividing the plot with the attached neighbour. The rear of the site is laid to lawn with fencing on the boundaries and a patio area adjacent to the dwelling.

Proposal

The application proposes a single storey side extension to the east of the property following the demolition of the existing conservatory style addition. The side projection facing onto the road serving an existing bedroom will remain. The proposed extension will measure 3.7m wide by 4.8m deep and will project beyond the existing single storey side projection by 1.1m. It will have a flat roof with maximum height of 2.8m. The proposed brickwork will match that used on the existing dwelling.

Assessment

The main considerations of this application are the design and the impact on residential amenity. The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Design

The proposed extension is a modest addition that is considered to be of a scale and nature appropriate to the site and the surrounding area. The extension will have a higher roof and will project 1.1m beyond the side of the existing flat roof side projection that will remain, resulting in the extension being partially visible from the road. Furthermore, the extension will be built up to the boundary with the neighbour to the east. The extension will be set back over 10m from the road and will be located behind existing built form. As such, it is not considered that the development will appear cramped or have any adverse impact upon the street scene or amenity of the area.

It is noted that the extension will remove the gate providing external access between the front and rear of the property, but whilst not being particularly functional, this is the choice of the applicant and is not a reason for refusal. The extension is considered to be acceptable in design terms and the use of matching brickwork blends the development with the existing dwelling.

Impact on Residential Amenity

The proposed extension will be built up to the boundary with the neighbour to the east, No. 7 Falcon Way. This will be the only neighbour affected by the proposal. Similar to the application site, this neighbour has existing single storey side projections from the main two storey dwelling, within which 2 no. windows are located on the side elevation. The neighbours built form is located approximately 1.1m from the shared boundary. Whilst the proposed extension built up to the boundary with this neighbour will potentially cause some loss of light to the neighbours existing side windows it is considered that the existing 1.8m boundary fence already obscures a large amount of daylight from these ground floor windows and the degree of light lost as a result of this modest single storey extension would therefore not be significant enough to warrant any refusal of planning permission, particularly as doors existing on the rear elevation facing out into the garden area and will let in light. Furthermore, due to the orientation of these properties, the side windows are located on the west elevation so limited sunlight will reach these windows throughout the day. No letters of representation have been received from this neighbour raising any concerns over the development.

No windows are proposed in the side elevation of the extension that would cause concerns of overlooking and loss of privacy. The proposed development is considered acceptable in terms of the amenities currently enjoyed by neighbouring property.

Other Considerations

No letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and 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 plan: 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.

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