


## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	17/10/2018
Planning Development Manager authorisation:	GKG	19/10/2018
Admin checks / despatch completed	 SB	19/10/18. 19/10/18.

**Application:** 18/00820/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr L Otte

**Address:** 209 London Road Clacton On Sea Essex

**Development:** Proposed new raised roofs, including hipped to gable ends, 3no. pitched roof dormers, and rear single storey extension with 2no. velux rooflights and Juliet balcony.

### 1. Town / Parish Council

Clacton is non parished.

### 2. Consultation Responses

Not applicable

### 3. Planning History

18/00820/FUL	Proposed new raised roofs, including hipped to gable ends, 3no. pitched roof dormers, and rear single storey extension with 2no. velux rooflights and Juliet balcony.	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

HG14 Side Isolation

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 209 London Road, Clacton which comprises of a single storey bungalow. The application site is located within the development boundary of Clacton and is within a residential area comprising of mainly detached and semi-detached dwellings.

### Proposal

The application seeks planning permission for a proposed raised roof including hipped to gable ends, 3 dormers, a single storey extension, two Velux roof lights and a Juliet balcony. The proposed roof will be raised from 5.8 metres in height to 7.4 metres in height. The rear extension will measure 10.6 metres in width, 4 metres in depth with an overall height of 6.6 metres. The single storey flat roof element will measure 10.6 metres in width, 2 metres in depth with an overall height of 2.8 metres. The front extension will measure 5.5 metres in width, 2.5 metres in depth and an overall height of 7.3 metres.

The proposal has been amended several times to ensure that there is minimal impact upon neighbouring amenities.

### Assessment

The main considerations for this application are the principle of development, design and appearance, impact upon neighbouring amenities, impact upon the setting of a listed building 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

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 raised roof will see an additional 1.6 metres to the height of the dwelling as the existing dwelling height was 5.8 metres and the proposed is 7.4 metres. Although the proposal will be visible to the street scene, it is considered that due to the dwelling being sited approximately 16 metres away from the highway and there being a mixture of dwelling heights along London Road, the increased height will not cause any significant impact upon the street scene.

The gable projection to the rear of the host dwelling has a ridge height set lower than the dwelling to clearly distinguish the proposal as an extension. The proposal comprises of a single storey flat roof element with bi fold doors to the ground floor and a Juliet balcony with two Velux roof lights to the first floor. It is considered that due to the proposal being sited to the rear of the host dwelling the proposal will not cause any significant impact upon the street scene.

The proposed front extension will be visible from the street scene, however due to the proposal being set back from the highway by approximately 16 metres, and that the extension will square off the dwelling it is considered that the extension will be a visual improvement to the dwelling. There are three dormers proposed to the front elevation and therefore will be visible from the street scene. There are other examples of dormers within the street scene and therefore the proposals are considered to be in keeping with the character of London Road.

The design of the proposed extension is therefore considered acceptable in terms of the design and appearance and policies within Tendring District Local Plan (2007).

## Impact upon neighbouring amenities

The proposal will be visible to both neighbouring properties. To the north of the application site is a public house which is of a Grade II Listing. As the proposal is not extending any further north towards the boundary as well as the existing landscaping which helps to screen the proposal, it is considered that the extensions will not cause any significant impact upon neighbouring amenities. The proposed extensions will be visible to the neighbouring dwelling to the south, number 203 London Road. However, due to the proposal maintaining 1 metre to the boundary which is in line with Policy HG14 of the Tendring District Local Plan, as well as there being no windows to the first floor on the southern side elevation to reduce any impact upon the neighbouring amenities, it is considered that the proposal will not cause any significant impact. The proposal comprises of two high level Velux windows to the rear elevation which will be for light purposes only and therefore will not cause any overlooking or loss of light to the neighbouring amenities. Whilst the rear Juliet balcony will have views further to the rear of the neighbouring garden, this is considered to be a slight improvement to amenities as views are more likely to be away from the area's most likely to be occupied.

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 south, number

203, will lose some light to the ground floor window, however due to proposal being amended to incorporate a single storey element to the gable projection, it is considered that due to the pitched roof and the flat roof to the single storey extension, the proposal will not cause any significant impact upon the neighbouring amenities and as a result is not significant enough to warrant a reason for refusal.

Views towards to the frontages of the neighbouring dwellings of London Road will be possible from the three dormers to the front elevation. However, a good distance is retained between these dwellings and views will only be toward to the front gardens and therefore not considered significantly harmful to residential amenities.

#### Impact upon the setting of a Listed Building

Policy EN23 of the adopted Tendring District Local Plan (2007) seeks to ensure that any proposals for development that would adversely affect the setting of a Listed Building, including group value and long distance views will not be permitted. Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017) seeks to ensure that the proposals for new developments affecting a listed building or setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance and fabric: are explained and justified through an informed assessment and understanding of the significant of the heritage asset and its setting; and are of a scale, design and use materials and finishes that respect the listed building and its setting.

The development borders the northern boundary of the public house which is a Grade II listed building. However, as the development is one and half storey and the mature tree cover on the northern boundary of the plot to help screen the proposal, views of the development and the listed building in conjunction will be limited. The proposal would therefore preserve the setting of the listed building.

#### Parking provision

The application proposes to extend the existing garage which is currently undersized. However the proposal will extend the garage to measure 4.2 metres in width with a depth of 10.6 metres which is in line with Essex Parking Standards of a garage measuring 7 metres by 3 metres. There is also sufficient parking to the front of the host dwelling to accommodate two parking spaces measuring 5.5 metres by 2.9 metres. It is therefore that the application is acceptable in terms of parking provision.

#### Other considerations

Clacton is non parished.

Three letters of representation have been received from the same address raising the following concerns:

- Amended plans demonstrate a greater experience of overlooking and loss of privacy  
The above concern has been addressed within the report.
- The representation refers to the Human Rights Act in particular Protocol 1, Article 1 and 8  
The concern is not a material planning consideration and therefore has not been taken into consideration when determining the proposal.
- Loss of light and overshadowing from the proposal  
This has been addressed in the report.
- Scale and design not in keeping with the character of the area  
This has been addressed in the report.
- Impact upon the Grade II listed building, Robin Hood due to the unsympathetic design  
This has been addressed in the report.
- Impact of subsidence movement

This would be a civil matter for the two parties to resolve and not a material planning consideration.

## Conclusion

Having taken all of the considerations into account, it is considered that there is not significant material harm as a result of the development and therefore 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 Rev F.

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? 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