

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	16/10/2018
Planning Development Manager authorisation:	AN	18/10/18
Admin checks / despatch completed	AN	23/10/18

ER

Application: 18/01477/FUL **Town / Parish:** Little Clacton Parish Council

Applicant: Mr Steven Worwood

Address: 285A Harwich Road Little Clacton Clacton On Sea

Development: Conservatory to rear of property.

1. Town / Parish Council

Little Clacton Parish Council Little Clacton Parish Council recommend approval.

2. Consultation Responses

Not Applicable

3. Planning History

92/00566/OUT	(Land adjacent to 287 Harwich Road, Little Clacton) Erection of dwelling	Refused	14.07.1992
96/00588/FUL	(Plot between No's. 285 and 287 Harwich Road, Little Clacton) Detached 2 bedroom dwelling	Refused	09.07.1996
13/00998/FUL	Proposed 2 bed detached house.	Approved	05.12.2013
14/00052/DISCON	Discharge of condition 03 (boundary treatment) and 08 (construction method statement) of planning permission 13/00998/FUL.	Approved	18.03.2014
18/01477/FUL	Conservatory to rear of property.	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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 a south facing two storey detached dwelling known as "285A Harwich Road." The dwelling is set back from the front of the plot with an area for parking to the front and side of the dwelling. Located to the rear is an existing garden with fencing along each neighbouring boundary.

Proposal

This application seeks permission for the erection of a rear conservatory.

Assessment

Design and Appearance

The area comprises of semi-detached and detached dwellings in a variety of materials with many already benefiting from existing extensions or conservatories.

The proposal will be sited to the rear of the existing dwelling with parts being publicly visible through the open space between the application dwelling and neighbouring house.

Whilst publicly visible due to its set back and predominant screening by the host dwelling the proposal would not appear as a prominent or harmful feature to the appearance or character of the area.

The proposal is of a single storey design which is appropriate to the existing dwelling and will not over dominate it.

The existing dwelling has been finished in render with a small brick plinth and the proposal will be finished in brick with UPVC glazing. Whilst the use of so much glazing is not entirely inkeeping with the host dwelling the proposal will be sited to the rear and predominantly screened by the host dwelling to prevent it from having an adverse impact upon the streetscene.

The site is of a large enough size to accommodate the proposal and still retain sufficient private amenity space.

The site is situated outside the housing settlement limits however as the proposal will be in keeping with the existing character of the dwelling and will not harm the character of the surrounding area the proposal meets Policy HG12 of the Adopted Local Plan 2007.

Impact on Neighbours

The proposal will result in a loss of light to the neighbouring dwellings and therefore the loss of light/ daylight calculations specified within the Essex Design Guide have been applied. The 45 degree lines in elevations and plans would not encompass or strike through the centre of any of the rear openings of the neighbouring dwellings and therefore the loss of light in this instance is not so significant to justify refusing planning permission.

The neighbouring dwelling of 287 Harwich Road has an existing rear extension with an opening which will face the proposal. This opening currently looks onto the boundary fencing and already receives little light and outlook. The proposal will reduce this further however as it will be sited 3m from the neighbouring boundary and as these windows already receive little light and outlook the loss of outlook and light in this situation is not so significant to refuse planning permission upon.

The proposal will be visible to the neighbours over the existing boundary fencing however as a result of its distance of a minimum of 2m away from each neighbouring boundary would not result in a significant loss of outlook from these neighbours rear openings.

The plans show that the proposal will include windows along its side elevation. As the highest point of these windows will be 2.1m which means they could be predominantly screened by a 2m high fence which could be erected under permitted development it is considered the level of privacy lost from the proposal not so significant to refuse planning permission upon.

Other Considerations

Little Clacton parish council recommend approval for the application.
No further 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

- 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: Block Plan 1:500, Proposed Elevations dated 24/06/2018 and Proposed Floor Plan dated 24/06/2018.

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.