

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	17/10/2018
Planning Development Manager authorisation:	AN	18/10/18
Admin checks / despatch completed	RW	23/10/18

*ER*

**Application:** 18/01554/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr & Mrs A Martin

**Address:** 70 Dixon Avenue Clacton On Sea Essex

**Development:** Proposed addition to house.

**1. Town / Parish Council**

Clacton Non Parished

**2. Consultation Responses**

Not applicable

**3. Planning History**

01/00337/FUL	Proposed addition to house	Approved	30.03.2001
03/01448/FUL	Two storey extension to replace existing garage with bedrooms and shower room over	Approved	17.09.2003
18/01554/FUL	Proposed addition to house.	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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 a north east facing detached dwelling known as "70 Dixon Avenue." The dwelling is accessed via a shared access with two other properties with its side elevation facing "Dixon Avenue." Positioned south east of the dwelling is an existing garage and driveway. The dwelling has previously been extended under planning reference 01/00337/FUL to the rear and side to include a new kitchen/ dining room.

### Proposal

This application seeks permission for the erection of a single storey side extension between the existing house and garage. The new extension will protrude off of the side wall of the existing extension.

### Assessment

#### Design and Appearance

The proposal will be sited to the side and therefore publicly visible.

The proposal is of a size and design which matches the host dwelling and will be constructed from materials which are consistent with the existing house.

The proposed enlargement will be set back from the front wall of the host dwelling by 5m and from the front of the site by 7m which will reduce its prominence within the streetscene.

As a result of its minor nature, inkeeping design and set back it is considered that the proposal would not have a harmful impact to the appearance or character of the dwelling or area.

#### Impact on Neighbours

The proposal will not result in a harmful impact to the neighbours as it will be screened by the existing garage and sufficient distance from each of the neighbouring boundaries.

#### Other Considerations

Clacton is non parished and therefore no comments are required. No 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: Drawing No 2.

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.