

**DELEGATED DECISION OFFICER REPORT**

<b>AUTHORISATION</b>	<b>INITIALS</b>	<b>DATE</b>
File completed and officer recommendation:	NH	13/11/18
Planning Development Manager authorisation:	SCE	14.11.18
Admin checks / despatch completed	AP	14/11/18

*RUE*

**Application:** 18/01544/FUL **Town / Parish:** Clacton Non Parished  
**Applicant:** Mr David Fisher  
**Address:** 299 St Johns Road Clacton On Sea Essex

**Development:** Proposed extension to rear of property.

**1. Town / Parish Council**

Clacton is non parished.

**2. Consultation Responses**

Not Applicable

**3. Planning History**

09/01236/OUT	Proposed erection of 3 detached dwellings including partial demolition of existing bungalow to permit vehicular access.	Refused	25.01.2010
17/00593/FUL	Construction of detached garage.	Approved	19.06.2017
18/01544/FUL	Proposed extension 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

QL11 Environmental Impacts and Compatibility of Uses

HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

### **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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 299 St Johns Road, Clacton which is a one storey north facing dwelling located on the southern side of St Johns Road. The host dwelling is constructed from brick and red pantiles and accommodates a large plot to the rear.

### Proposal

The application seeks planning permission for a rear extension which will be constructed from two single storey gable projections linked by a single storey element. The proposal will measure 16.3 metres in width, 5 metres in depth with an overall height of 5 metres (3.05 metres in height serving the flat roof element).

The extension will be constructed from Atherstone red bricks, red pantiles and white double glazed windows and doors to match the host dwelling.

### Assessment

The main considerations for the proposal are the design and appearance and impact upon residential amenities.

### Design and Appearance

This application falls to be considered against the provisions of Policy QL9, QL10 and QL11 of the Tendring District Local Plan (2007), and Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017). These policies seek that all new development should

make a positive contribution to the quality of the local environment and protect or enhance 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 extension is situated to the rear of the host dwelling and as a result it will not be visible from St Johns Road. The proposal is single storey and it will be constructed from Atherstone red bricks, red pan tiles and white double glazed windows and doors to match the host dwelling. The design and scale of the extension is acceptable in relation to the host dwelling and as a result there would be no material harm to visual amenity. The site is of a large enough size to accommodate the proposal and still retain sufficient private amenity space.

#### Impact upon neighbouring amenities

The proposal will be visible to the neighbouring dwellings along St Johns Road. However, the extension will be situated approximately 3 metres away from the neighbouring boundary to the west and approximately 13 metres away from the neighbouring boundary to the east. It is therefore considered that due to the single storey nature, the proposed roof slope pitching away from the neighbouring dwellings and the sufficient distance away from the neighbouring boundary, the proposal will not cause any loss of light or impact upon neighbouring amenities.

The extension will be visible to the neighbours who lie adjacent to the rear garden along Peter Bruff Avenue and Gilders Way. It is considered that the proposal will be positioned approximately 73 metres away from the neighbouring boundary of Gilders Way and approximately 13 metres away from the neighbouring boundary of the dwellings along Peter Bruff Avenue. Due to the single storey nature of the extension and the roof pitch which slopes away from the neighbouring boundaries, it is considered that the proposal will not cause any significant impact upon neighbouring amenities.

#### Other Considerations

Clacton is non parished.

No letters of representation have been received.

#### Conclusion

In the absence of significant material harm as a result of the development, this 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: Drg No. DFG-PP\_04, Drg No. DFG-PP-05 and DFG-PP-06  
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?</b> <b>If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision?</b> <b>If so, please specify:</b>	YES	NO