

## DELEGATED DECISION OFFICER REPORT

| AUTHORISATION                               | INITIALS | DATE       |
|---|----------|------------|
| File completed and officer recommendation:  | AP       | 19/11/2018 |
| Planning Development Manager authorisation: | AN       | 19/11/18   |
| Admin checks / despatch completed           | AN       | 20/11/18   |

*AK*

**Application:** 18/01632/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr & Mrs R Hall

**Address:** 8 Sheppard Close Clacton On Sea Essex

**Development:** Proposed side addition.

**1. Town / Parish Council**

n/a

**2. Consultation Responses**

n/a

**3. Planning History**

|              |                          |          |            |
|--------------|--------------------------|----------|------------|
| 18/00758/FUL | Proposed side extension. | Approved | 04.07.2018 |
| 18/01632/FUL | Proposed side addition.  | 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  
 HG9 Private Amenity Space  
 EN23 Development Within the Proximity of a Listed Building  
 TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)  
 SPL3 Sustainable Design  
 PPL9 Listed Buildings

Local Planning Guidance  
 Essex County Council Car Parking Standards - Design and Good Practice

**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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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**

### Site Description

The application site is south facing and situated within the development boundary of Clacton on Sea. The main property is a semi-detached brick built chalet style house with a concrete tile roof. The house occupies a position at the end of the cul de sac. In front of the house is a small grassed area alongside an area of block paving set aside for off road car parking. To the rear a conservatory has been added which leads into the back garden which is mainly laid to grass with a patio area.

### Background

A previous planning application 18/00758/FUL was approved earlier in 2018 for a single storey side extension. This recent application has made some minor changes to the approved planning permission. The width of the extension has been reduced by 1.1912 metres; however the depth, height of the eaves and ridge has remained the same. There is now just one small window on the front elevation serving a small w.c and one window on the rear elevation.

### Assessment

The design and appearance, impact on residential amenity and impact on the setting of the listed building are the main considerations for this application.

### Design and Appearance

The use of matching bricks, roof tiles and UPVC windows ensures the extension will be in keeping with the character of the existing dwelling and the immediate area. The side extension is set back a minimal amount from the original front elevation, however the existing fence line which will be maintained creates a break and some of the extension is obscured from view. The eaves height is the same as the existing dwelling which helps to tie the existing dwelling and the extension together. Due to its single storey nature and end of cul de sac position there is no significant impact to the street scene.

### Impact upon Residential Amenity

The position of the side extension on the western side of the application site is a distance of 5.5 metres away from the eastern side boundary shared with 6 Sheppard Close. The extension does not project from the front or rear elevation of the existing dwelling and therefore there will be no significant impact in terms of loss of light, privacy or outlook to the neighbours at 6 Sheppard Close.

At least 180 square metres of private amenity space remains which is considered acceptable. The off road parking provision will not be affected by the proposal and two cars will be able to park on

the block paved driveway which meets the current parking standard where one space measures 5.5m x 2.9m.

### Heritage

Cann Hall is a Listed Building that was built circa 1512 for St Osyth's Priory. Cann Hall is located a distance of 35 metres away from the application site.

Policy EN23 of the Tendring District Local plan 2007 will not permit development that would adversely affect the setting of a Listed Building, including group value and long distance views.

Cann Hall is situated within a modern estate development and is not clearly visible from public areas. There are public footpaths, public open space and mature trees between the application site and Cann Hall, which all contribute to creating a suitable division where encroachment on the Listed Building will be controlled. Cann Hall is also enclosed by a boundary wall.

The applicant submitted a Heritage Statement to support the previous planning application which stated that the single storey side extension is only 3.1 metres higher than the boundary fence with the common footway, consisting of grassed areas as well as hard landscaping with various trees.

The proposal at 8 Sheppard Close will not have an adverse impact on the setting of the Listed Building of Cann Hall.

### Other Considerations

No letters of representation have been received.

### Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

## **6. Recommendation**

Approval

## **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: 1: 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.