

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	06/11/2018
Planning Development Manager authorisation:	SCE	23.11.18
Admin checks / despatch completed	XNL SB	23/11/18 23/11/18.

**Application:** 18/01658/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr Wright

**Address:** 7A Highview Avenue Clacton On Sea Essex

**Development:** Single storey rear extension.

### 1. Town / Parish Council

Clacton on Sea is non parished

### 2. Consultation Responses

Not applicable

### 3. Planning History

18/01658/FUL      Single storey rear extension.      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)  
SPL3 Sustainable Design

Local Planning Guidance  
Essex Design Guide

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Proposal

This application seeks permission for the erection of a single storey rear extension to a detached dwelling located within the settlement boundary of Clacton on Sea.

### Assessment

#### Design

The proposal will be sited to the rear and due to its width will have small sections publicly visible from Highview Avenue. Whilst certain elements will be visible the proposal will be set back from the front of the site and largely screened by the host dwelling which will prevent it from having a significant impact upon the streetscene.

Whilst the proposals size is appropriate to the dwelling the design of the roof does not match the existing house. As the proposal will be predominantly screened by the host dwelling and as these specific features will not be publicly visible this would not have harmful visual impact to the overall appearance of the dwelling.

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

### Impact on Neighbours

Policy HG14 of the Tendring District Local Plan (2007) states that, extensions to dwellings over 4m in height should retain appropriate open space between dwellings and the side boundaries to safeguard the amenities and aspect of adjoining residents. As a guideline a minimum distance of 1 metre will be sought. Where circumstances warrant it, a greater distance will be sought.

The overall height of the extension will be 5.1m reducing to a hipped roof of 4.5m and then further reducing to an eaves height of 2.6m.

The proposal will result in a loss of light to the neighbouring dwellings and therefore the Sunlight calculations specified within the Essex Design Guide have been applied to each neighbour. Upon using the calculations the 45 degree line in plans would strike through the centre or fully encompass the neighbouring dwellings rear elevation openings however in elevations would only just intercept the dwellings. It is therefore considered that the loss of light is not so significant to justify refusing planning permission.

The proposal will result in a loss of outlook to each neighbour due to its depth. The proposal will be sited over 1m from each neighbouring boundary with eaves height of 2.6m, the roof will then slope away from each neighbouring dwelling. There is also existing fencing sited along each neighbouring boundary which will screen much of the proposal. This boundary fencing could be



increased to 2m in height to further reduce its impact. It is therefore considered that as a result of the proposals low eaves height and distance from the boundary that the level of outlook lost is not so significant to refuse planning permission upon.

A new window is proposed to the side elevation of the dwelling, as this is at ground floor level and as there are windows already overlooking into the neighbouring dwellings garden the introduction of this window would not result in such a significant loss of privacy to refuse planning permission upon.

#### 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: WHA-01.

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.