

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	27/11/2018
Planning Development Manager authorisation:	SCE	27-11-18
Admin checks / despatch completed	SR	27/11/19

Application: 18/01552/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr Vickers

Address: 9 Thorpe Road Clacton On Sea Essex

Development: Proposed first floor extension to create no.2 new bedrooms & a new bathroom.

1. Town / Parish Council

Clacton is non parished.

2. Consultation Responses

Not Applicable

3. Planning History

03/00505/FUL	Two storey side extension	Refused	13.08.2003
03/01887/FUL	Two storey side extension (Re-submission of 03/00505/FUL)	Approved	15.11.2003
18/01552/FUL	Proposed first floor extension to create no.2 new bedrooms & a new bathroom.	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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 refers to 9 Thorpe Road, Clacton on Sea which is a two storey detached dwelling constructed from render and pantiles. The application site is located within the settlement development boundary of Clacton on Sea.

Proposal

The application seeks planning permission for the erection of a first floor side extension above the existing garage which will accommodate bedroom 4 and bedroom 5 and will measure 4.7 metres in width, 7.7 metres in depth with an overall height of 7.3 metres from ground floor level (4.1 metres in height from first floor level). The first floor rear extension will accommodate a bathroom and will measure 4.7 metres in width, 2 metres in depth with an overall height of 7.8 metres (4.5 metres in height from first floor level).

Planning permission was granted under planning reference 03/01887/FUL for a two storey side extension and therefore the principle of development is acceptable.

Assessment

The main considerations for this application are the design and appearance and the impact upon neighbouring amenities.

Design and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the 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 first floor side extension will be visible from the street scene of Thorpe Road, however the proposal will be set back from the highway by approximately 6 metres and due to the proposal being constructed of matching materials to those used within the host dwelling and having a ridge height set lower in order to clearly distinguish as an extension, it is considered that the extension would not create a cramped appearance and it is acceptable in terms of design.

The proposed first floor rear extension will be situated to the rear of the host dwelling and therefore not being visible from the street scene. The extension will be positioned above the existing single storey element, constructed of matching materials to those used within the host dwelling and has a ridge height set lower in order to clearly distinguish it as an extension. The detailed design and scale of the extension is acceptable in relation to the host property and would result in no material harm to visual amenity.

Impact upon neighbouring amenities

The proposed first floor side extension will be situated to the southern elevation of the host dwelling and therefore there will be no impact upon the neighbouring dwelling to the north. The proposed first floor side extension will be visible to the neighbouring dwelling to the south. The extension complies with policy HG14 in Tendring Local Plan 2007 as the proposal maintains approximately 1.5 metre from the boundary at the frontage and increases to 2 metres towards the rear. The proposal incorporates a gable projection with a dual pitched roof which will slope away from the neighbouring dwelling, reducing any loss of light onto the neighbouring amenities. There are no windows proposed on the side elevation to reduce any overlooking onto the neighbouring amenities.

The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the roof would not catch any habitable rooms in elevation and it is considered that the 45 degree would not intercept the windows in plan. It is therefore felt that there will be no loss of light to number 7 Thorpe Road.

The proposed first floor rear extension will not be visible to either neighbouring dwelling due to the existing projection to the north and the proposed first floor side extension which will screen the proposal. Therefore, it is considered that the proposal will not cause any significant impact upon neighbouring amenities.

Other Considerations

Clacton is non parished.

1 letter of representation has been received raising the following concern:

- Loss of light to neighbouring dwelling

This concern has been addressed within the report.

Conclusion

In the absence of material harm resulting from the development the 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: Block/Site Plan Scale 1:500 and Drawing no. 160718

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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO