

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	28/11/2018
Planning Development Manager authorisation:	SCE	28.11.18
Admin checks / despatch completed	ERC	29/11/18

**Application:** 18/01709/FUL **Town / Parish:** Thorpe Le Soken Parish  
Council

**Applicant:** Mr and Mrs Reeves

**Address:** 50 Byng Crescent Thorpe Le Soken Clacton On Sea

**Development:** Single storey side and rear extensions.

**1. Town / Parish Council**

Thorpe le Soken Parish Council      No comments received.

**2. Consultation Responses**

**Not applicable**

**3. Planning History**

18/30119/PREAPP      Single storey front and side extension.      18.07.2018

18/01709/FUL      Single storey side and rear extensions.      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

TR7 Vehicle Parking at New Development

TR1A Development Affecting Highways

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

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Proposal

This application seeks permission for the erection of a side and rear extension to a two storey semi-detached dwelling located within the development boundary of Thorpe le Soken.

### Assessment

#### Design

The proposed rear extension will be sited to the rear of the dwelling and therefore not publicly visible.

The side extension will be publicly visible and has been amended to incorporate a hipped roof design which will relate better to the host and surrounding dwellings.

The proposal will be consistent with neighbouring dwellings within the area as some already benefit from side or front extensions which consist of similar hipped roof designs.

The proposal is of an appropriate design and size to the existing dwelling and will be finished in materials which match the existing house.

The proposed side extension will be set back from the front of the site by 10m and will be of a single storey design which will reduce its prominence in the streetscene.

The proposal would therefore not result in a harmful impact to the appearance or character of the dwelling or area.

#### Highway Safety

Whilst the proposed side extension will be constructed on part of the existing driveway the dwelling has an adequately sized frontage for the parking of two vehicles in line with the Essex County Council Parking Standards. The proposal will therefore not result in a harmful impact to highway safety.

#### Impact to Neighbours

The side extension will not be visible to 52 Byng Crescent sited to the west of the site as it will be screened by the host dwelling.

The neighbouring dwelling of 52 Byng Crescent has an existing small rear extension with a side and rear window. The proposed rear extension will not result in a loss of privacy to this neighbour however due to its close proximity to the boundary will result in a loss of light and outlook.

The proposed extension will only protrude a small amount past this neighbour's rear extension and will be partially screened by the existing boundary fence and therefore would not result in a significant loss of outlook from his neighbours' rear window.

As a result of the loss of light to this neighbour the sunlight/daylight calculations have been applied and the 45 degree line in plan would intercept this neighbouring dwellings rear opening however in elevation would only intercept the lower section of this window. It is therefore considered that the loss of light in this instance is not so significant to refuse planning permission upon.

The proposal will result in a loss of light and outlook to the neighbours' side window which serves an existing extension. At present there is an existing fence which partially screens this window reducing the level of outlook and light currently received. This fence could be increased to 2m under permitted development which would screen the whole window resulting in this window receiving no light or outlook. It is also noted that this room is served by another window to the rear. It is therefore considered that the level of light and outlook lost to this neighbour via this side window is not so significant to refuse planning permission upon.

The proposed rear extension will be sited sufficient distance away from the neighbouring dwelling of 48 Byng Crescent and partially screened by existing boundary fencing and would therefore not result in a loss of residential amenities to this neighbour.

The neighbouring dwelling of 48 Byng Crescent has a window along its side elevation which will look onto the side extension and be affected in terms of loss of light and outlook. This window serves an existing hallway and already receives little light and outlook due to the positioning of the host dwelling. It is therefore considered that the level of light and outlook lost is not so significant to refuse planning permission on.

#### Other considerations

Thorpe le Soken Parish Council have not comments on the application.  
No further 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: P01b.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.