

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	28/11/2018
Planning Development Manager authorisation:	SCE	03.12.18
Admin checks / despatch completed	PW	4/12/18

ER

Application: 18/01761/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr and Mrs A Hillier

Address: 11 Princes Road Holland On Sea Clacton On Sea

Development: Single storey rear extension.

1. Town / Parish Council

Holland on Sea non parished

2. Consultation Responses

Not applicable

3. Planning History

18/01761/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
HG9 Private Amenity Space

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 dwelling within the development boundary of Holland on Sea.

Assessment

Design

The proposal will be to the rear and not publicly visible preventing it from having a harmful impact to the local area.

The proposal is of a size which is appropriate to the existing house and will be finished in materials which are consistent with the host dwelling. Whilst its flat roof design is not inkeeping with the overall appearance of the host dwelling as the proposal will be sited to the rear and not visible from Princes Road the use of a flat roof would not represent a detrimental impact to the overall appearance and character of the dwelling and area.

The site is of sufficient size to accommodate the proposal and still retains sufficient private amenity space.

Impact on Neighbours

The proposal would not result in a loss of residential amenities to 9 Princes Road as it will be sited 6m from this neighbour's boundary and partially screened by existing boundary treatment and parts of the host dwelling.

Sited to the north of the dwelling is 15 Princes Road which comprises of a detached dwelling with its adjacent garage being in close proximity to the boundary shared with the host dwelling and the position of the proposed extension. The shared boundary with this neighbour comprises of an existing fence and planting.

As a result of the dwellings orientation the proposal has the potential to result in a loss of light to this neighbour and therefore the sunlight/daylight calculations specified within the Essex design Guide have been applied. The 45 degree line in plan would encompass the rear of this neighbouring garage where there are no openings situated. The 45 degree line in elevation would only just intercept the rear of the garage. It is therefore considered that the loss of light resulting from this proposal is not so significant to refuse planning permission upon.

The existing dwellings garage creates a separation distance between the neighbouring dwelling and application dwelling. This together with screening by the way of boundary planting and fencing would prevent the proposal from resulting in a significant loss of outlook to this neighbour.

The proposal will not result in a loss of privacy to 15 Princes Road.

Other Considerations

Holland on Sea is non parished and therefore no comments are required.
No further letters of representation have been received.

Conclusion

In the absent 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: HPR 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.