

## 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

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**Application:** 18/01793/FUL                      **Town / Parish:** Clacton Non Parished

**Applicant:** Mr & Mrs Ward

**Address:** 128 Frinton Road Holland On Sea Clacton On Sea

**Development:** Proposed side extension.

**1. Town / Parish Council**  
Holland on Sea is non parished

**2. Consultation Responses**  
Not applicable

**3. Planning History**

02/00691/FUL	Kitchen extension	Approved	21.05.2002
07/01801/FUL	Front boundary fence.	Refused	10.12.2007
18/01793/FUL	Proposed side 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

**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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 a single storey side extension to a semi-detached dwelling within the development boundary of Holland on Sea.

### Assessment

#### Design and Appearance

The proposal will be sited to the side and therefore publicly visible from Frinton Road and Nottingham Road.

The proposed extension is of a suitable size and design to the existing dwelling and has since been amended to incorporate a lower ridge height to ensure that it relates well to the host dwelling.

Whilst the proposal will be a noticeable addition to the existing house it will be set back from the side boundary shared with Nottingham Road by 2m and the front boundary shared with Frinton Road by 15m overall reducing its prominence.

The proposals single storey design and lower height will prevent the proposal from dominating the existing dwelling and its use of matching materials will ensure that it relates well to the appearance of the existing house.

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

It is therefore considered that the proposal would not result in a harmful impact to the overall appearance and character of the existing dwelling and area.

#### Impact on Neighbours

The proposal will not result in a significant loss of residential amenities to the neighbouring dwellings as it will be sited sufficient distance away from the neighbouring dwellings and will be screened by the host dwelling and associated garage to the rear.

#### Other Considerations

Holland on Sea 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: Drawing No 02 Rev 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 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.