

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	09/01/2019
Planning Development Manager authorisation:	SCE	11.01.19
Admin checks / despatch completed	SB	14/01/19.

Application: 18/01957/FUL **Town / Parish:** Clacton Non Parished

Applicant: Ms Watson

Address: 28 Lymington Avenue Clacton On Sea Essex

Development: Single storey rear and side extensions.

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

Not applicable

3. Planning History

18/01957/FUL Single storey rear and side 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
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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 side and rear extensions to a detached bungalow within the development boundary of Clacton on Sea.

Assessment

Design and Appearance

The proposal will be sited to the side and the rear of the dwelling meaning that parts of it will be visible within the streetscene.

Whilst parts of the enlargements will be visible the proposal will be set back sufficiently from the front of the site and reducing its prominence within the streetscene.

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

Whilst the overall design of the proposal is inkeeping with the host dwelling the rearward facing openings are not consistent with others on the existing house. As these openings are not publicly visible and face the rear garden this difference in design would not have a harmful impact to the appearance of the dwelling or area.

The site is of a adequate size to accommodate a proposal of this scale and still retain sufficient private amenity space.

Impact on Neighbours

Sited to west of the site is St Marks Church which comprises of windows which face onto the existing site. The proposal will be set off of this boundary by 0.4m and will be screened by existing fencing currently in situ along the boundary, which could be increased in height to 2m under permitted development. As this neighbouring building already has limited views due to the close proximity to the application site it is considered that the proposal would not result in such a loss of amenities to the users of this adjacent site.

Situated to the east of the site is 26 Lymmington Avenue. The proposal will be sited 2m from this neighbouring boundary and partially screened by the host dwellings outbuilding and boundary fencing.

As a result of such screening the proposal will not result in a loss of outlook to this neighbour.

The proposal will result in a loss of light to this neighbour as a result of its height and therefore the Sunlight/ Daylight calculations from the Essex Design Guide have been applied to the proposal. The 45 degree line in plan and elevation would not intercept or encompass any of the neighbours

rear openings and therefore the loss of light is not so significant to refuse planning permission upon.

The proposal includes two new roof lights which will look into this neighbour's garden. The lowest part of these roof lights measures 2.9m from ground level which is an appropriate height where users will not be able to obtain views of the neighbouring site. The introduction of these windows would therefore not result in a significant amount of overlooking to this neighbour.

The proposal includes high level rearward facing openings which will face into the gardens of the properties to the rear. These windows will benefit the extension by increasing the light to the new rooms and as the existing dwelling has existing windows which look onto the rear neighbouring gardens there will not be any loss of privacy to these nearby houses.

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: Drawing No PA-10.

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.