

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	31/01/2019
Planning Development Manager authorisation:	SCE	31.01.19
Admin checks / despatch completed	SB	04/02/19

Application: 18/02045/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr B Dicks

Address: 48 Gainsford Gardens Clacton On Sea Essex

Development Erection of orangery to the rear.

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

N/A

3. Planning History

14/00931/FUL	Demolition of existing leisure facilities and construction of new leisure facilities including playing pitch, club house, changing facilities and car parking. Residential development of 65 no. bungalows.	Approved	20.07.2015
16/00003/DISCON	Discharge of condition 9 (materials), 16 (finished floor levels), 21 (vehicular turning facility) and 27 (construction method statement) of planning permission 14/00931/FUL.	Approved	01.03.2016
18/02045/FUL	Erection of orangery to the rear.	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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Site Description

The application site is located to the west of Gainsford Gardens, inside the development boundary of Clacton on Sea. It serves a semi detached bungalow constructed of light brick with a tile roof and an attached garage and forms part of the new housing development approved under reference 14/00931/FUL. The site has a small front garden area which is laid to lawn with off road parking for 1 no. car. The rear of the site is laid to lawn with a patio area and 1.8m close boarded fencing on all boundaries.

Proposal

The application proposes the erection of an orangery extension to the rear of the property. The extension will be entirely glazed and will measure 4m deep by 5.1m wide with an eaves height of 2.5m and a maximum height of 3m.

Assessment

The main considerations of this application are the design and the impact on residential amenity.

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Design

The proposed orangery extension is considered to be of a scale and nature appropriate to the site and the surrounding area. It is a modest addition of only 3m in height, which is located centrally on the rear elevation of the property. The fully glazed design will match with other conservatory additions in the area, and its position within the site will result in no views of the development from the road, so there will be no adverse impact on the street scene. The development is considered acceptable in design terms.

Impact on Residential Amenity

Due to the modest nature of development and its position within the site, located approximately 3.5m from either side boundary and a minimum of 4m from the rear boundary, the proposed orangery extension is not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

Sufficient private amenity space is retained for the occupiers of the property, in accordance with Policy HG9 of the Tendring District Local Plan (2007).

Other Considerations

Works at the site have already commenced at the site so there is no need for the standard time limit condition to be imposed.

No letters of representation have been received.

Conclusion

It is considered that the revisions to the proposed development are consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Block Plan, Proposed Floor Plan (Contract No. 900/01436 Page 3 of 4 Rev A) and Proposed Elevations (Contract No. 900/01436 Page 4 of 4 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 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