



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**

### Proposal

This application seeks permission for the erection of a single storey rear extension to a house located within the settlement development boundary of Clacton on Sea.

### Design and Appearance

The single storey rear extension will be visible between the houses of numbers 6 and 8 Fairlop Close, although due to its single storey nature, its position at the rear and the use of matching brickwork there will be no significant impact to the street scene. The originally submitted plans proposed a sloping roof, however due to loss of light concerns a flat roof has been chosen to overcome this issue and its appearance is considered acceptable.

The design and scale of the extension is acceptable in relation to the host property and would result in no material harm to visual amenity.

### Impact upon Residential Amenity

The proposal is a distance of 2.5 metres from the western side boundary shared with 6 Fairlop Close ensuring that this neighbour will not be significantly affected by loss of light, outlook or privacy. The proposal is a distance of 0.10 metres from the eastern side boundary shared with 10 Fairlop Close.

The next door neighbour at 10 Fairlop Close is attached and has a canopy to the rear of the property which is a distance of 0.10 metres to the shared boundary with 8 Fairlop Close. Due to its height and close proximity to the boundary the proposal has the potential to result in loss of light to the property of 10 Fairlop Close and therefore the calculations specified within the Essex Design Guide have been applied. The 45 degree line in plan would intercept the rear patio doors of 10 Fairlop Close, however in elevation it would intercept less than half of the rear patio doors at 10 Fairlop Close. It is therefore considered that the loss of light is not so significant to justify refusing planning permission. Furthermore, due to the single storey nature of the proposal, it is not considered to cause any significant loss of outlook or privacy to the neighbour at 10 Fairlop Close.

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 100 square metres of private amenity space for a three bedroomed property. The existing private amenity space is measured at approximately 103 square metres which currently meets the standard. The construction of the proposal would reduce the private amenity space to 80.25 square metres. Although the standard is not met, in view of the shape of the garden, it remains a very usable space. The use of the garage as part of the amenity space should also be considered as there is ample off road car parking on the driveway to negate the need for the garage. On balance the reduction in private amenity space below the required minimum is acceptable in this case and does not have a significantly harmful impact.

### Other Considerations

No letters of representation have been received.

Conclusion

In the absence of 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 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 2018-13 Revision 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.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	YES	NO