

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	05/02/2019
Planning Development Manager authorisation:	SCE	05.02.19
Admin checks / despatch completed	AP	6/2/19

*WNE*

**Application:** 18/02051/FUL **Town / Parish:** Clacton Non Parished  
**Applicant:** Mr and Mrs Silverton  
**Address:** 22 Madeira Road Holland On Sea Clacton On Sea  
**Development:** Single storey side extension.

### 1. Town / Parish Council

Clacton Non Parished

### 2. Consultation Responses

N/A

### 3. Planning History

03/01175/FUL	Conservatory	Approved	06.08.2003
16/01714/FUL	Replace thin wall polycarbonate roof with marley eternit fibre cement slates and install 4 no. velux roof windows.	Approved	12.12.2016
18/02051/FUL	Single storey 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 Impact and Compatibility

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)**

### Application site

The application site is located to the south of Madeira Road, inside the development boundary of Holland on Sea. It serves a detached bungalow constructed of textured render and a slate roof, with a previously approved side extension that extends beyond the rear of the dwelling. The front of the site is entirely paved for parking.

### Proposal

This application seeks planning permission for a single storey side extension. The proposal will measure a maximum depth of 4.8m, 2.8m wide and will have a pitched roof with a maximum height of 3.2m; following on from the previously approved side extension. It will be constructed of render with a slate roof to match the host dwelling and existing side extension.

### Assessment

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

### Policy Considerations

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.

## Background

The original application proposed the side extension to be constructed of hardieplank. The host dwelling is constructed in render and whilst the street scene differentiates in appearance, there are no examples of hardieplank present. It was therefore considered that changing the materials to match the host dwelling would result in a more appropriate development in terms of design and the character of the area. Amended plans were submitted accordingly.

## Design and Appearance

The proposed single storey side extension is considered to be of a scale and nature appropriate to the site and the surrounding area, and is of a design that is in keeping with the host dwelling. It is set back from the front elevation of the property by 0.3m making it appear as a subservient addition. Whilst the extension will be publicly visible it will be set back from the road by approximately 5m. Furthermore, the use of render and slate will blend the development with the host dwelling, resulting in a neutral impact upon the street scene.

## Impact on Residential Amenity

The proposed extension will only affect the neighbouring property to the west of the application site, No. 20 Madeira Road, it will be located approx. 1m from the shared side boundary. There is currently an existing extension of the same distance from the shared side boundary therefore will result in no significant impact to the neighbouring property.

There is an existing window within the side elevation of the host dwelling with a view of the neighbouring side elevational wall. The application proposes a window within the side elevation. Although the proposed window will be closer to the neighbouring property, than the existing side window, the extension is single storey and will not recreate any overlooking, causing no further significant impact on the neighbouring property. The proposed roof lights do not cause any concern with regards to overlooking.

The proposed development is therefore considered to be a modest single storey development that will not cause any significant adverse impact to the daylight, privacy or other amenities currently enjoyed by neighbouring property.

## Other Considerations

No letters of representation have been received.

## Conclusion

It is considered that the proposed development is 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 / Reasons for Refusal**

- 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. SMR-01 Rev B.

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