

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	07/02/2019
Planning Development Manager authorisation:	SCE	08.02.19
Admin checks / despatch completed	SB	11/02/19.

Application: 18/02071/FUL **Town / Parish:** Clacton Non Parished.

Applicant: Miss Brachtvogel and Mr Wilson

Address: 3 Bridge Cottages Sladburys Lane Clacton On Sea

Development: Proposed single storey rear extension.

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

N/A

3. Planning History

18/02071/FUL Proposed single storey rear 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
HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 Sladburys Lane, outside the development boundary of Clacton on Sea. The site is set within a large plot and serves an end of terrace cottage constructed of render with a tiled roof, and is accessed via a gravel access track shared with the other two cottages. The dwelling is located close to the access track and a picket fence acts as the front boundary treatment. The rear garden area is laid to lawn with fencing on the boundary shared with the neighbour to the east and trees/planting on the other boundaries.

Proposal

The application proposes a single storey rear extension, to replace the existing kitchen and bathroom area. The extension will measure 9.8m deep by 9.4m wide. The extension will have a crown roof with eaves height of 2.4m and a maximum height of 3.3m. It will be constructed of render, with roof tiles to match the existing dwelling.

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.

Policy HG12 of the Tendring District Local Plan (2007) seeks to ensure that extensions outside of the development boundary satisfy general design criteria set within the above mentioned policies and amongst other things, development is of a size, scale and height in keeping with the character of the locality, is well related to the original dwelling and would not represent overdevelopment of the site.

Design

The proposed extension is considered to be of a scale and nature appropriate to the site and the surrounding area. Whilst the footprint of the extension is large, the extension is a modest height that is considered to be in character and well related to the existing dwelling. Furthermore, the two adjoining cottages have large extensions projecting into their rear garden, setting a precedent for development at this site. The application drawings illustrate that the extension will not project further than the adjacent neighbours property, resulting in development that is in keeping with neighbouring development. Plus, the site is considered large enough to accommodate development of this scale without it appearing as overdevelopment of the site.

The extension will not be publicly visible from Sladburys Lane due to the property location and views from the private access drive will only be possible at the western end of the track which is likely to only be used by the applicant and visitors to the application site. Due to this and as the development proposes the use of materials to match the existing dwelling, the development is considered acceptable in design terms and in terms of the visual impact on the street scene.

Impact on Residential Amenity

The attached neighbour, No. 2 Bridge Cottages, is the only neighbour likely to be affected by the proposal. The proposed extension will be located 1.5m from the side boundary shared with this neighbour and the development will not project any further than their rear building line. No windows are located in the side wall of the neighbouring projection that could cause issues of overlooking from the side openings proposed in the extension. The extension proposes a low eaves height that will further reduce any possible impact. Due to this and the orientation of the properties, which have north facing rear gardens, the development is not considered to cause any significant adverse impact on 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 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 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. 01 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 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:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO