

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	20/02/2019
Planning Development Manager authorisation:	SCE	21.02.19
Admin checks / despatch completed	KML SB	22/02/19 22/02/19

Application: 19/00027/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr and Mrs Webb

Address: 5 Victoria Road Clacton On Sea Essex

Development: Proposed single storey rear and side extensions, two storey side extension and loft conversion including velux rooflights.

1. Town / Parish Council

Clacton non parished

2. Consultation Responses

Not applicable

3. Planning History

19/00027/FUL Proposed single storey rear and side extensions, two storey side extension and loft conversion including velux rooflights. 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

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

HG9 Private Amenity Space

HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site comprises of a two storey detached dwelling and attached garage. Sited to the front is an existing glazed porch.

Proposal

This application seeks permission for the erection of single storey rear and side extensions, two storey side extension and loft conversion with roof lights.

The plans have since been amended to show a lower ridge height on the two storey side extension and to incorporate a small hip to the roof to reduce its impact within the streetscene.

Assessment

Design and Impact

The proposal will be sited to the side and therefore publicly visible from Victoria Road.

The first floor addition will be 0.3 lower in height compared to the existing house and will be set back from the front wall of the dwelling by 1.5m to prevent it from over dominating the house and allowing it to appear as a subservient addition. The amended hipped roof to the proposal will break up the expanse of roof and will assist in softening its appearance in the streetscene.

The proposed single storey extension will be set back from the porch however will be in line with the actual front wall of the host dwelling. The hipped roof design will break up the expanse of brickwork allowing the proposal to be better inkeeping with the host dwelling.

The proposal will also be set back from the front of the site by 8.2m to further reduce its prominence.

The enlargements will be finished in materials which are consistent with the existing house.

Policy HG14 of the Tendring District Local Plan (2007) states that, extensions to dwellings over 4m in height should retain appropriate open space between dwellings and the side boundaries to ensure that new development is appropriate in its setting and does not create a cramped appearance. As a guideline a minimum distance of 1 metre will be sought. Where circumstances warrant it, a greater distance will be sought.

The proposal is over 4m in height and will be constructed along the boundary of the site which is therefore contrary to policy HG14. The first floor element will be stepped in from the boundary by 0.76m and its amended roof design would reduce any cramped appearance on the streetscene. It is also noted that the proposal will also be set back from the front of the site. It is therefore

considered that the proposals amended design overcomes the issues raised in saved policy HG14 and the failure to comply with saved policy HG14 is not sufficient grounds to refuse planning permission.

The proposal incorporates a number of rooflights to the rear, side and front elevation. The side rooflights are set back from the front of the property and would not appear prominently within the streetscene. The rear rooflights will not be publically visible from Victoria Road. The front rooflight will be visible however due to the scale of the development would not appear prominently within the streetscene. It is also noted that some properties within the vicinity have existing solar panels on their roofs which do appear prominently within the streetscene.

The site is of a large enough size to accommodate the proposal and still retain sufficient private amenity space.

It is therefore considered that this proposal will be acceptable in terms of visual amenity and would not result in a harmful impact to the dwelling and areas existing character and appearance.

Highway Safety

Whilst the proposal will encroach upon the existing driveway, the area to the front of the house is of a sufficient size to accommodate the proposal and still retain 2 parking spaces in line with the Essex county Council Parking Standards. The proposal would therefore not contravene highway safety.

Impact on Neighbours

The proposal will not result in a harmful impact to the neighbouring dwellings to the south east (55 and 53 Church Road) as it will be sited sufficiently away from these boundaries and predominantly screened by the host dwelling.

Sited to the north west is 7 Victoria Road which has received planning permission for a proposed ground floor rear extension to form dining room and first floor side extension to form 2 bedrooms (incorporating formation of self-contained holiday let within existing ground floor) under planning reference 17/01490/FUL and is currently under construction. The plans approved under 17/01490/FUL show that there will be one window along the flank elevation facing the application site which will serve a bedroom which is also served by a balcony to the front.

The proposal will result in a loss of light and outlook to the first floor bedroom window however as this room is served by another opening to the front this impact would not be so significant to refuse planning permission upon.

The proposed first floor extension will not extend past the rear wall of this neighbour. The single storey extension will protrude past the neighbouring rear wall by 1.5m and due to its design would not result in a significant harmful impact to this neighbour in terms of loss of light and outlook. Furthermore the sunlight/ daylight calculations have been applied and the 45 degree line in plan would intercept the neighbouring dwellings rear opening however in elevation would only strike through the lower section of the window however is likely to be intercepted by any boundary fencing first.

The proposed extension will have a new first floor window serving the en suite to the rear which will face the garden on 7 Victoria Road along with new openings at second floor. The host dwelling already has clear views into this neighbours garden and therefore it is considered the loss of privacy is not so significant to refuse planning permission upon.

The proposal will not result in a loss of privacy to the dwellings to the rear as the extension is sited away from the boundary and the openings are positioned appropriately within the roof.

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: 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.