

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	20/03/2019
Planning Development Manager authorisation:	SCE	20.03.19
Admin checks / despatch completed	ER	21/3/19

Application: 19/00176/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr and Mrs Revell

Address: 1 Harman Walk Clacton On Sea Essex

Development Proposed single storey rear extension to replace existing conservatory.

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

N/A

3. Planning History

93/00353/FUL	Side extension and garden wall	Approved	05.05.1993
19/00176/FUL	Proposed single storey rear extension to replace existing conservatory.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019
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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 north of Harman Walk, which is situated east of Kingsman Drive, inside the development boundary of Clacton on Sea. It serves an end of terrace two storey dwelling, constructed of light brick with a tile roof. The front of the house is laid to lawn with a concrete path leading to the front door. The rear of the site is laid to lawn with a patio area, and is enclosed from the Kingsman Drive by a brick boundary wall, with fencing on the boundary shared with the neighbour to the east.

Proposal

The application proposes a single storey rear extension to replace existing conservatory. It measures 2.7m deep by 5.875m wide with a monopitch roof with eaves height of 2.6m and maximum height of 3.4m. Materials will match those used on 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.

Design

The proposed extension is considered to be of a scale and nature appropriate to the site and the surrounding area. It is a modest addition that replaces an existing conservatory extension and proposes the use of matching materials to blend acceptably with the host dwelling. There will be limited views of the extension from the road and the development is not considered to have any adverse impact on the visual amenity of the area.

Impact on Residential Amenity

The extension is a modest addition with a low eaves height and it replaces an existing conservatory extension, which is currently built up to the boundary with the attached neighbour to the east. The extension will not be any deeper than the existing conservatory, and will only have marginally higher eaves. The proposed development is not considered to cause any significant adverse impact on the daylight privacy and 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

- 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 Number PA.002, Drawing Number PA.005 Revision B and Drawing Number PA.006 Revision 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 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