

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	26/03/2019
Planning Development Manager authorisation:	SCE	04.04.19
Admin checks / despatch completed	SB	15/04/19

Application: 19/00268/FUL **Town / Parish:** Clacton Non Parished ER

Applicant: Mr J Cauldwell

Address: 20 Gorse Lane Clacton On Sea Essex

Development: Proposed single storey rear extension - following demolition of conservatories.

1. Town / Parish Council

Clacton is non parished

2. Consultation Responses

Not applicable

3. Planning History

19/00268/FUL	Proposed single storey rear extension - following demolition of conservatories.	Current
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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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Proposal

This application seeks planning permission for the erection of a single storey rear extension to a semi-detached dwelling within the development boundary of Clacton.

Assessment

Design and Appearance

The proposed extension will be sited to the rear and not publicly visible.

The proposal is of an appropriate scale to the main dwelling and will be finished in materials which match the existing house.

The proposal will have a flat roof design with an eaves height which is higher than the host dwellings. Whilst these features are not consistent with the existing house as the proposal will be sited to the rear and not publicly visible they would not detract from the dwelling or areas overall appearance or character.

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

Impact on Neighbours

Due to its flat roof design and distance from the neighbouring property to the west the proposal would not result in a significant loss of residential amenities to 22 Gorse Lane.

The proposal will be visible to 18 Gorse Lane sited to the east and will only protrude past this neighbour's conservatory by 0.3m and would therefore not result in a loss of light to this neighbour. Due to its design the proposal will not result in a loss of privacy to this neighbour.

The proposal will result in a loss of outlook to this neighbour however as a result of its flat roof design and as it will be predominantly screened by the existing boundary fencing the loss of outlook in this case is not so significant to refuse planning permission upon.

Other Considerations

Clacton is non-parished and therefore no comments are required. No further representations 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.

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.