

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	16/04/2019
Planning Development Manager authorisation:	SCE	17.04.19
Admin checks / despatch completed	<i>[Signature]</i>	18/04/19. <i>[Signature]</i>

Application: 19/00226/FUL **Town / Parish:** St Osyth Parish Council

Applicant: Mr David Perry

Address: 245 and 247 Point Clear Road St Osyth Clacton On Sea

Development: Proposed garages to both dwellings and two storey extensions to 247 Point Clear Road.

1. Town / Parish Council

St Osyth Parish Council

Whilst the Parish Council has no objections to the proposed alterations and extensions to No:247, there are objections that the proposed development to No:245, part of which will be forward of the building line of neighbouring properties, is excessive and should therefore be deemed as overdevelopment.

2. Consultation Responses

Not Applicable

3. Planning History

19/00226/FUL	Proposed garages to both dwellings and two storey extensions to 247 Point Clear Road.	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

EN3 Coastal Protection Belt

HG14 Side Isolation

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

SPL3 Sustainable Design

PPL2 Coastal Protection Belt

PPL3 The Rural Landscape

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

This application relates to 245 and 247 Point Clear Road, St Osyth. 245 Point Clear Road is a one and a half storey dwelling which is set back from the highway comprising of a grassed and paved area to the front of the dwelling. 247 Point Clear Road, St Osyth is a single storey dwelling which is set back from the highway comprising of a grassed and paved area to the front of the dwelling.

Proposal

The application seeks planning permission for a garage and ground floor extension to the front of the dwelling, first floor extension to the side and rear with dormer window in the front elevation and a ground floor extension to the rear serving number 245. The garage will measure 9.9 metres in depth, 6.1 metres in width with an overall height of 5.3 metres. The ground floor extension to the front of the dwelling will serve the extended study and it will measure 4 metres in depth, 3.65 metres in width with an overall height of 4.3 metres. The first floor front extension will accommodate bedroom 3 and it will be served by a dormer to the front and a window to the back. The proposal will measure 3 metres in width, 6.3 metres in depth with an overall height of 6 metres. The rear flat roof first floor extension will incorporate bedroom 3 and bedroom 4 and will

add an additional 1.5 metres in depth, 3 metres in width an overall height of 5.3 metres. The first floor rear gable extension will accommodate bedroom 1 and it will measure 4.1 metres in depth, 5.5 metres in width with an overall height of 6 metres.

The application seeks planning permission for a garage and lobby serving number 247. The garage will measure 3.5 metres in width, 6 metres in depth with an overall height of 4 metres. The lobby will measure 1.6 metres in width, 2.1 metres in depth with an overall height of 3.6 metres.

Assessment

The main considerations for this application design and appearance, impact upon neighbours and coastal protection belt.

Design and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

Most nearby properties are single storey chalet or bungalow style dwellings, but otherwise there is no pattern to the style or scale of surrounding properties.

Number 245

The proposed extensions will be visible from the street scene of Point Clear road however due to the host dwelling being set back from the highway it is considered that the proposal will not cause any significant impact upon the street scene.

The proposed garage to the front of the site is single storey with a pitched roof. It will be setback to help to break up the street scene and allow for a more spacious appearance. There are other examples along Point Clear Road of garages to the front of host dwellings and due to the use of matching materials, the proposal is considered to be in keeping with the character of the area.

The proposed ground floor front extension will be partially visible from the street scene but partially hidden by the proposed garage. Due to the single storey nature of the extension as well as the pitched roof and the use of matching materials, it is considered that the proposal will not cause any significant impact upon the street scene.

The proposed first floor extension to the front of the dwelling will be visible from the street scene however due to the host dwelling being set back from the street scene by approximately 35 metres, as well as the proposal incorporating a dormer window to be in keeping with the existing dwelling and the use of matching materials, it is considered that the extension will not cause any significant impact upon the streetscene. The existing garage door will be replaced with windows serving the store and a hipped single storey roof will replace the existing flat roof which will create a visual improvement to the dwelling.

To the rear of the dwelling a first floor flat roof extension, a ground floor extension to square off the lounge and a first floor gable extension is proposed which will not be visible to the street scene of Point Clear Road. The extensions are considered to be of a scale which are respectful to the dwelling to prevent it from having any visual harm to the appearance and character of the dwelling and area. Adequate private amenity space is retained to the rear of the property.

Number 247

The proposed garage is situated to the west of the host dwelling and it will be visible from the streetscene of Point Clear Road. However due to the proposal being set back from the highway by approximately 33 metres away, as well as the single storey nature of the proposal with a pitched to hip roof and the use of matching materials, it is considered that the proposal will not cause any significant impact upon the street scene.

The proposed entrance lobby situated to the eastern elevation of the host dwelling will be visible from the streetscene of Point Clear Road however due to the proposal being set back from the highway by approximately 38 metres, single storey nature of the proposal as well as the use of matching materials, it is considered that the proposal will not cause any significant impact upon the street scene.

Impact upon the neighbouring amenities

Number 245

The proposed garage will be visible from both neighbouring dwellings. The proposal will be visible from the neighbouring dwelling number 243, however due to the approximate distance of 10 metres to the neighbouring boundary, it is therefore considered that the proposal will not cause any impact upon neighbouring amenities. The proposal will be visible to number 247 Point Clear Road. The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the roof would catch part of the front window in plan, although the 45 degree would not intercept the windows at 247 Point Clear Road in elevation. The minimal loss of light that the proposal will cause is not considered so significant as to justify refusing planning permission on these grounds.

The ground floor extension will be visible to both neighbouring dwellings. However, the proposal will be located approximately 4 metres away from the neighbouring dwelling, 247 Point Clear Road and 9 metres away from the neighbouring dwelling 243 Point Clear Road. Due to the single storey nature of the proposal as well as the sufficient distance away from the neighbouring boundaries, it is considered that the proposal will not cause any significant impact upon neighbouring amenities.

The first floor front extension will not be visible to the neighbouring dwelling number 247 but it will be visible to the neighbouring dwelling 243 Point Clear Road. Policy HG14 of the Tendring District Local Plan (2007) states extensions to dwellings over 4m in height should retain appropriate open space between dwellings and the side boundaries, with a minimum distance of 1m to ensure that new development is appropriate in its setting, does not create a cramped appearance and to safeguard the amenities and aspect of adjoining residents. The proposed first floor extension demonstrates a 1 metre gap between the proposal and the neighbouring boundary and therefore it is considered that the extension does meet the aims of Policy HG14.

The rear first floor flat roof extension will not be visible to 247 Point Clear Road as it is located to the eastern elevation of the host dwelling but it will be visible to number 243 Point Clear Road. Due to the proposal maintaining 1 metre to the boundary which complies with Policy HG14, it is considered that the extension will not cause any impact upon neighbouring amenities. The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the roof would catch part of the rear window in elevation, although the 45 degree would not intercept the windows at 243 Point Clear Road in plan. The minimal loss of light that the proposal will cause is not considered so significant as to justify refusing planning permission on these grounds.

The rear gable first floor extension will be visible to both neighbouring dwellings. The proposal will be situated approximately 4 metres away from 247 Point Clear Road and it will be situated approximately 7 metres away from 243 Point Clear Road. Due to the sufficient distance as well as there being no windows proposed on the side elevations to reduce overlooking onto neighbouring amenities, it is considered that the proposal will not cause any significant impact upon the neighbouring dwellings.

The ground floor extension to the lounge will be visible only to 243 Point Clear Road, however due to the approximate distance of 7 metres to the boundary as well the single storey nature of the proposal, it is considered that the proposal will not cause any significant impact upon the neighbouring amenities.

Number 247

The proposed garage will be visible to the neighbouring dwelling number 249 however due to the single storey nature of the proposal, the roof which will be hipped away from the neighbouring dwelling reducing any loss of light, it is considered that the proposal will not cause any significant impact upon neighbouring amenities.

The proposed lobby entrance will only be visible to the neighbouring dwelling number 245 Point Clear Road as the proposal is situated on the eastern elevation. Due to the single storey nature of the proposal as well as number 245 maintaining approximately 4 metres to the dwelling house, it is considered that the proposal will not cause any significant impact upon neighbouring amenities.

Coastal Protection Belt

Saved Policy EN3 of the Tendring District Local Plan 2007 and Draft Policy PPL2 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) seeks to protect the unique and irreplaceable character of the Essex coastline from inappropriate forms of development as well as seeking to improve public access to and enjoyment of the coast in accordance with the National Planning Policy Framework.

The proposal will not have a substantial impact on the Coastal Protection Belt as the proposals will not cause any significant harm to the landscape character of the area.

Other Considerations

St Osyth Parish Council does not object to the plans at 247 but does object to the application in particular number 245 due to the proposals being forward of the building line, excessive and its overdevelopment.

In relation to the concern above, the proposal has been addressed in the report above.

Conclusion

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. 245-247-P-002 Revision P1, Drawing No. 245-247-P-007 Revision P1, Drawing No. 245-247-P-008 Revision P1, Drawing No. 245-247-P-006 Revision P1, Drawing No. 245-247-P-012 Revision P1, Drawing No. 245-247-P-011 Revision P1.

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