

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	PW	1/5/19
Planning Development Manager authorisation:	AN	2/5/19
Admin checks / despatch completed	ene	03/05/19

**Application:** 19/00329/FUL **Town / Parish:** Clacton Non Parished  
**Applicant:** Mr R Balchin  
**Address:** 255 Holland Road Clacton On Sea Essex  
**Development:** Proposed extension (Following demolition of conservatory & porch) and new decking.

### 1. Town / Parish Council

n/a

### 2. Consultation Responses

n/a

### 3. Planning History

19/00329/FUL      Proposed extension (Following demolition of conservatory & porch) and new decking.      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

HG9 Private Amenity Space

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

SPL3 Sustainable Design

Local Planning Guidance

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies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**

### **Proposal**

This application seeks planning permission for a single storey rear extension, raised decking area and privacy screen fence to a dwelling within the development boundary of Clacton on Sea. A front porch is also shown on the submitted plans, but does not require planning permission so will not be considered as part of this application.

### **Design and Appearance**

The proposal is sited to the rear of the property, so will not be prominent in the street scene. The extension is of an appropriate size and scale for the site, and relates well to the host dwelling. Adequate private amenity space will be retained to the rear of the property.

The decking area will be raised 0.39m above the ground, and a 1.8m close boarding privacy screen fence (2.2m above ground level) is proposed. The additional 0.2m height above a standard garden fence will be obscured from view of the adjacent neighbour by the existing planting along the boundary, and when viewed from further away the additional height will not be significant.

### **Impact on Neighbours**

The proposed extension is sited close to the boundary with the adjoining neighbour. Due to the orientation of the properties, the rear elevation does not benefit from direct sunlight throughout the day. As the proposal is only single storey and has a flat roof, there will be no significant impact on neighbouring daylight or outlook as a result of the rear extension. The proposed privacy screen will appear as a tall fence from the neighbour's point of view, and due to the separation from the boundary will not impact neighbouring amenities. No side facing windows are proposed that will impact neighbouring privacy.

### **Other Considerations**

No letters of representation have been received.

### **Conclusion**

In the absence of material harm as a result of the proposed development, this 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. TDC-0219-1-2 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.

<b>Are there any letters to be sent to applicant / agent with the decision?</b> <b>If so please specify:</b>	NO
<b>Are there any third parties to be informed of the decision?</b> <b>If so, please specify:</b>	NO