

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	10/05/2019
Planning Development Manager authorisation:	SCE	10.05.19
Admin checks / despatch completed	<i>[Signature]</i>	10/05/19

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Application: 19/00379/FUL **Town / Parish:** Clacton Non Parished
Applicant: Mr A Goodrum
Address: 106 Park Square West Jaywick Clacton On Sea
Development: Proposed Annexe.

1. Town / Parish Council

Clacton is non parished.

2. Consultation Responses

Not Applicable.

3. Planning History

19/00379/FUL Proposed Annexe. 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

HG3 Residential Development Within Defined Settlements

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

SPL2 Settlement Development Boundaries

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 relates to 106 Park Square West, a south facing semi-detached bungalow located within the settlement development boundary of Jaywick.

Proposal

The application seeks planning permission for the erection of an annexe which will measure 5.2 metres in width, 10.7 metres in depth with an overall height of 4.2 metres.

Assessment

The main considerations for this application are the principle of development, design and appearance and the impact upon neighbouring amenities.

Principle of development

The site is located within the Settlement Development Boundary (SDB) of Clacton on Sea, as established in the saved and emerging plans. Policy HG3 of the Tendring District Plan 2007 states that within defined development boundaries of towns and villages, residential development will be permitted provided it satisfies amenity, design, density, environmental, highway, local housing needs and sustainability criteria, as appropriate, and can take place without material harm to the character of the local area. The principle of the annexe is therefore acceptable subject to the detailed consideration below.

As an independent building, the building would be inappropriate due to the backland location and shared facilities, although as an annexe ancillary to the host dwelling, for occupation by a relative, no policy concerns arise, although it needs to be restricted to ancillary accommodation by condition as the level of accommodation proposed could amount to a "dwelling" in its own right.

Visual Impact

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The annexe will be positioned to the rear of the host dwellings garden and therefore the proposal will not be prominent in the street scene of Park Square West. The annexe is single storey with dual pitched roof and it will be constructed from materials which are typical for an outbuilding; hardiplank walls, eternit slates and white upvc windows and doors which matches the neighbouring outbuildings.

Adequate garden area remains for the host property, and the scale and proportion of the proposed outbuilding is not considered excessive. The development is therefore considered acceptable.

Impact upon neighbouring amenities

Whilst the proposed annexe may be visible to the adjacent neighbours to the east, it is considered that there is sufficient separation distance. Due to the siting of the building at the end of the garden away from any neighbouring windows or main sitting out areas, the low eaves and ridge height of the proposed building, the single storey nature of the proposal and existing fencing denoting the boundary, it is considered that there will be no harm to residential amenities.

Other Considerations

Clacton is non parished.

No letters of representation have been received.

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. 1

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 The proposed annexe hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 106 Park Square West.

Reason - The site is unsuitable for an independent residential unit because of the shared facilities and relationship to the host dwelling.

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