

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	10/05/2019
Planning Development Manager authorisation:	SCE	14.05.19
Admin checks / despatch completed	AP	15/5/19

Application: 19/00460/FUL **Town / Parish:** Weeley Parish Council

Applicant: Mr Bailey & Mrs Smith

Address: 12 Mill Lane Weeley Heath Clacton On Sea

Development Proposed single storey front and rear extensions.

1. Town / Parish Council

Weeley Parish Council Weeley Parish Council has no objection to this application, subject to confirmation that the proposed extension will not project beyond the building line.

2. Consultation Responses

N/A

3. Planning History

08/01228/FUL	Retention of rear conservatory.	Approved	12.11.2008
19/00460/FUL	Proposed single storey front and rear extensions.	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
HG14 Side Isolation

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is located to the north of Mill Lane, inside the development boundary of Weeley Heath. It serves a detached bungalow with front facing gable, constructed of brick, render, boarding and a tile roof; and a conservatory located to the rear. The front of the site has a white picket fence on the front boundary with gravel, some planting and a concrete driveway that stretches down the side of the dwelling to the garage. The rear garden is predominantly paved with a pond, an outbuilding and fencing/planting on the boundaries.

Proposal

The application proposes a single storey front extension and a rear extension to replace the existing conservatory.

The front extension will measure 7.6m wide (the full width of the dwelling) and 1.45m deep with a bay window projecting a further 0.6m. It will include a hipped roof with eaves height of 2.6m and maximum height of 3.6m, and will be constructed using cream hardiplank cladding, matching roof tiles and matching brickwork for the bay window.

The rear extension will measure 3m deep by 6.95m wide, with a rear facing gable with eaves of 2.6m and ridge height of 4.9m. It will be constructed cladding and tiles to match the existing dwelling.

The existing garage will also be demolished, and a new window is proposed to be inserted on the existing east side elevation - these could be done without the benefit of planning permission.

Representations

Weeley Parish Council has no objection subject to the front extension not projecting beyond the building line (addressed in officer's report)

No letters of representation have been received.

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.

Policy HG14 of the Tendring District Local Plan (2007) states that extensions over 4 metres in height will be required to retain appropriate open space between the dwelling and the side boundaries to ensure the new development is appropriate in its setting and does not create a cramped appearance; and to safeguard the amenities and aspect of adjoining residents.

Design

The proposed development is considered to be of a scale and nature appropriate to the site and the surrounding area.

The bungalows along the north side of Mill Lane are built with front facing gables, and the new dwellings constructed opposite are of a hipped roof design. Mill Lane overall has a mixture of different property styles and on balance, it is considered that the front extension, with the use of matching tiles and cladding that appears on other properties in the area, is of an acceptable design. The front extension will be publicly visible, but it is considered to blend acceptably with the locality and will not be detrimental to the street scene.

The properties along this stretch of Mill Lane have a slightly staggered building line. No. 10 is set back slightly from the dwelling within the application site and No. 14 is set forward. As a result the proposed front extension will continue this staggered approach and will not be any further forward than the property at No. 14.

The rear extension will sit on a similar footprint to the existing conservatory to be removed. It will have a lower ridge height than the existing dwelling, making it appear subservient, and the use of materials is considered acceptable. The extension will not be visible from the road, resulting in no impact on the street scene and is not considered to appear cramped within the plot, as it replaces existing built form.

Impact on Residential Amenity

The front extension is not considered to have any adverse impact on the amenities enjoyed by neighbouring property. The rear extension will be located 1m from the boundary to the east, decreasing to 0.8m, and a minimum of 2.7m from the boundary to the west. The neighbour to the east, No. 10 Mill Lane, is the neighbour most likely to be affected by the development. Notwithstanding this, the rear gable design results in the highest point of the extension being located approximately 4.4m from the east side elevation.

The 45 degree rule contained within the Essex Design Guide has been applied to the development. As the positions of the dwellings are staggered within the plot, the rear elevation of No. 10 will be in line with the rear elevation of the new extension and the only window possibly affected would be one on the side elevation of the neighbouring dwelling. However, the plots have north facing rear gardens so due to the orientation of the properties and as the part of the rear extension closest to the boundary is a modest 2.6m in height any potential impact is not considered significant enough to warrant the refusal of planning permission.

No windows are proposed in the side elevations of the rear extension and the proposed roof lights will give views skywards.

Overall, the development is not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

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 No. 12/MLW/1.

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