

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	15/05/2019
Planning Development Manager authorisation:	AN	20/5/19
Admin checks / despatch completed	SB	20/05/19

Application: 19/00455/FUL **Town / Parish:** St Osyth Parish Council

Applicant: Mr Billy Abbott

Address: 243 Point Clear Road St Osyth Clacton On Sea

Development: Proposed rear extension, loft conversion, alterations to front elevation, internal alterations and construction of self-contained annexe.

1. Town / Parish Council

St Osyth Parish Council The Parish Council do not object to the proposed extension, loft conversion, external or internal alterations.

The Parish Council does however have objections to the construction of the self-contained annexe, which is considered to be too far from the main dwelling, and would question whether the services for the annexe stem from the main dwelling or are provided separately.

The building of the self-contained annexe is deemed as being an attempt to establish a second residence by way of backland development.

2. Consultation Responses

n/a

3. Planning History

19/00455/FUL	Proposed rear extension, loft conversion, alterations to front elevation, internal alterations and construction of self-contained annexe.	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
 HG9 Private Amenity Space
 HG14 Side Isolation
 EN3 Coastal Protection Belt

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks permission for a rear extension, front extension with porch, loft conversion and detached annexe to a bungalow located within the settlement development boundary of Point Clear, St Osyth. The application site also lies within the Coastal Protection Belt.

Design and Appearance

The proposal at 243 Point Clear Road will completely alter the appearance of the bungalow as it is today. The existing detached single garage on the eastern side of the bungalow with its adjoining lean to/conservatory structure will be demolished to allow for the construction of the proposal. The proposal will create a front elevation which is symmetrical with two bay windows and a timber framed porch. A rear extension will be added for additional floor space. The ridge height of the roof will be raised to allow for rooms in the roof space with a gable at the front and the back with one window in each. Two dormers will be sited on each side roof slope, with one roof light on each side towards the rear.

The remodelling of the bungalow will modernise its look in the street scene although it will not look out of place due to the very different styles of houses and bungalows that are evident along Point Clear Road. The house next door at number 245 has permission for an extension and alterations which will increase the size of this property. The properties along this part of the road are set well back from the highway, a distance of at least 15 metres which ensures that the proposal will not be prominent. Matching roof tiles will be used as will matching fenestration. The brickwork will also match and the top half of the gable will be rendered.

The proposed annexe will be sited to the southernmost end of the garden and will be finished in black weatherboarding with a roof and brick course finish that matches the renovated existing dwelling. The weatherboarding is a material which is commonly used for garden buildings and due to its position at the end of the garden it will not be publicly visible.

The annexe meets all permitted development criteria apart from the criteria relating to its height. The proposed annexe is a distance of 1 metre from each boundary and will be 3.95 metres in height. Should the height of the proposed annexe been a maximum of 2.5 metres it would have been considered as permitted development.

The design and scale of the extension and the annexe is acceptable and would result in no material harm to visual amenity.

Impact upon Residential Amenity

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4 metres in height, as in this case. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary. In this case a distance of just over 1 metre has been maintained between the western side boundary shared with 245 Point Clear Road and a distance of 5.5 metres has been maintained between the proposal and the eastern boundary shared with number 241.

Due to the distance between the neighbouring properties and their orientation there will be no significant impact caused by the proposal in terms of loss of light to numbers 241 or 245. The positions of the newly created rear, front and side facing first floor bedroom and bathroom dormer windows and the roof lights do not significantly increase the risk of overlooking or loss of privacy to either neighbour due to their positions on the roof slope when compared to the position of the neighbouring properties.

The siting of the annexe at the end of the garden means that it is surrounded by ends of neighbouring gardens. It will be clearly visible above the fence line to all the neighbours however due to its position it will not have a significant impact on any of the neighbouring properties due to the large sizes of the adjacent gardens and the distance it will be from the private dwellings.

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 100 square metres of private amenity space for a property with three or more bedrooms. More than 800 square metres of private amenity space will remain at 243 Point Clear Road following the construction of the proposal which is considered more than adequate. Although the existing single garage will be lost, there will still be enough space in front of the bungalow that allows for at least two cars to park off the road and meets the current car parking standards where one space measures 5.5 metres x 2.9 metres.

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 due to its position in an already residential area. The proposal does not constitute over development of the modest application site which is able to accommodate the extension and a detached annexe.

Other Considerations

St Osyth Parish Council have objected to the construction of the self-contained annexe which they consider to be too far from the main dwelling and deem to be an attempt to establish a second residence. The annexe is permissible for use ancillary to the main dwelling of 243 Point Clear Road and any other proposed use, including the use as a separate dwelling would require a planning application.

No further letters of representation have been received.

Conclusion

In the absence of 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: Ref: 009, Ref: 003, Ref: 004 dated 15.05.19, Ref: 005 dated 15.05.19, Ref: 006, Ref: 007 and email dated 16 May 2019 confirming details of materials for the annexe.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

The annexe hereby approved may only be occupied as ancillary accommodation to the main dwelling, known as 243 Point Clear Road, St Osyth, Clacton on Sea, Essex, CO16 8JL. Any separate residential use would require planning permission.

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