

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	PW	22/5/19
Planning Development Manager authorisation:	ANJ	23/5/19
Admin checks / despatch completed	ERL	24/5/19
	SB	24/05/19.

**Application:** 19/00481/FUL                      **Town / Parish:** Clacton Non Parished  
**Applicant:** Christopher Peck  
**Address:** 87 Hereford Road Holland On Sea Clacton On Sea  
**Development:** Single storey rear extension.

### 1. Town / Parish Council

n/a

### 2. Consultation Responses

n/a

### 3. Planning History

19/00481/FUL              Single storey rear extension.              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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 retrospective planning permission for a single storey rear extension to a detached bungalow within the Development Boundary of Clacton On Sea.

### Design & Appearance

The application site is a corner plot, so the proposal is visible from Edison Road, which runs along the side boundary. The proposal is partially visible over the tall boundary fence, but is well related to the host dwelling and uses matching materials. Adequate private amenity space is retained around the dwelling.

### Impact on Neighbours

The 45 degree daylight/sunlight test shows that there is no significant impact to the rear window of the adjacent dwelling as a result of the extension. No side facing windows will impact neighbouring privacy.

The extension is 3.55m from the rear boundary, and is separated from the rear neighbour by a detached garage. There is no significant impact on the rear neighbour's amenities.

### Other Considerations

No letters of representation have been received.

### Conclusion

In the absence of material harm as a result of the development, this application is recommended for approval.

## **6. Recommendation**

Approval - Full

## **7. Conditions / Reasons for Refusal**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No 653/2.

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