

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	23/05/2019
Planning Development Manager authorisation:	SCE	28.05.19
Admin checks / despatch completed	(W)	29/5/19

KL

Application: 19/00546/FUL **Town / Parish:** Tendring Parish Council

Applicant: Mrs Sarah Lindsey - Sarah Lindsey Design Ltd

Address: 6A Pilcox Hall Lane Tendring Clacton On Sea

Development Single storey rear extension.

1. Town / Parish Council

Tendring Parish Council Tendring Parish Council have no objection to this application.

2. Consultation Responses

N/A

3. Planning History

95/00540/FUL	Single storey side and rear extensions	Approved	09.06.1995
19/00546/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
HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries
HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design

Local Planning Guidance
Essex Design Guide
Essex County Council Car Parking Standards - Design and Good Practice

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 west of Pilcox Hall Lane, which is a public right of way situated outside the development boundary of Tendring. The site serves a semi detached bungalow constructed of render with a tile roof, with a conservatory projecting to the rear. The front of the site is gravel with a section of lawn. The rear of the site is predominantly laid to lawn with an area of decking and a detached garage located close to the dwelling. Fencing and planting exists on the side boundaries with a picket fence to the rear looking out across fields.

Proposal

The application proposes a single storey rear extension, following the removal of the existing conservatory. The extension will measure 7.995m deep by 5m wide with an additional roof overhang of 3m to allow for a rear porch area. It will have a rear facing gable and have an eaves height of 2.7m and maximum height of 4m. An additional side door entrance area is located to the south of the extension. The development will be constructed with render and roof tiles to match the existing dwelling.

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 HG12 of the Tendring District Local Plan (2007) seeks to ensure that extensions outside of the development boundary satisfy general design criteria set within the above mentioned policies and amongst other things, development is of a size, scale and height in keeping with the character of the locality, is well related to the original dwelling and would not represent overdevelopment of the site.

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

Design

The proposed extension is considered to be of a scale and nature appropriate to the site and the surrounding area. The extension is subservient to the main dwelling. The gable end of the extension will be entirely glazed and will replicate the glazed aspect of the conservatory being replaced and the use of matching render and tiles will blend the extension with the host dwelling. These design factors enable the development to be well related to the original dwelling.

Whilst the extension has a large footprint the site is large enough to accommodate development of this scale and adequate private amenity space is retained for the occupiers in accordance with Policy HG9, therefore the development is not considered to represent overdevelopment of the site or look cramped within the plot.

The extension will not be publicly visible and will not cause any impact on the street scene and views from the public right of way.

Impact on Residential Amenity

The neighbour to the south of the site will not be affected by the development as views of the development will be obscured by the existing garage within the application site. The extension will be located approximately 0.5m from the boundary with the neighbour to the north.

The 45 degree rule contained within the Essex Design Guide, relating to sunlight/daylight, has been applied to the development. The extension is a relatively modest height consisting of a low eaves height of 2.7m and the point at which the ridge reaches 4m in height will be located over 3m from the north side boundary. Furthermore, this neighbour has dense planting throughout their garden which is already likely to provide some shade. Due to the nature of development and the circumstances surrounding the site the development is not considered to cause an adverse impact on neighbour's light that is significant enough to warrant the refusal of planning permission.

No windows are proposed in the side elevation facing the neighbour to the north and the proposed roof lights will give views skywards, so there are no concerns regarding loss of privacy or overlooking.

Overall the development is not considered to cause any significant adverse impact on the daylight, privacy or the amenities currently enjoyed by neighbouring property and as no letters of representation have been received the development is considered acceptable.

Other Considerations

Tendring Parish Council has no objection to this application.

No letters of representation have been received.

The proposal increases the dwelling from 2 bedrooms to 3 bedrooms. The front of the site has a gravel driveway with sufficient parking for 2 no. cars. There is no objection to the level of off street parking at the site and the development is considered acceptable in this regard.

Conclusion

It is considered that the revisions to the proposed development are 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 plan: Sheet No. 002 illustrating proposed floor plan and elevations.

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