

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	24.5.19
Planning Development Manager authorisation:	AN	30/5/19
Admin checks / despatch completed	AN SB	31/05/19.

Application: 19/00569/FUL

Town / Parish: Clacton Non Parished

Applicant: Mr Tom Lyons - Black Swan International Ltd

Address: Spring Lodge 23 Vicarage Gardens Clacton On Sea

Development: Proposed pitched roof single storey extension to lounge with the same dimensions as Approval 13/01145/FUL.

1. Town / Parish Council

No comments received

2. Consultation Responses

No comments received

3. Planning History

90/00085/FUL	Siting of mobile home.	Refused	20.03.1990
10/01249/FUL	Ground floor extension to care home to form an additional 2 bedrooms.	Approved	15.12.2010
10/01299/FUL	Proposed single storey extension to form additional area to dining room.	Refused	20.12.2010
11/00546/FUL	Two storey side extension.	Approved	22.06.2011
13/01145/FUL	Proposed conservatory.	Approved	27.11.2013
19/00569/FUL	Proposed pitched roof single storey extension to lounge with the same dimensions as Approval 13/01145/FUL.	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

COM5 Residential Institutional Uses

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

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 site is situated to the north of Vicarage Road on the corner of Vicarage Road and Park Road. It comprises of a detached two storey, rendered building with brick detailing which is used as a care home. The road frontages are delineated by a red brick wall with wooden railings above. The surrounding area is generally characterised by detached dwellings set in relatively large plots.

Description of Proposal

This application seeks planning permission for the erection of a single storey front extension. In terms of the footprint (measuring 3.4 metres in depth and 3.9 metres in width), dimensions (eaves of 2.2m, a ridge height of 3.7m which is marginally higher [0.1m] than the approved conservatory and siting (to the front of the building facing onto Vicarage Gardens); the proposal replicates that of the conservatory approved under application 13/01145/FUL.

The approved scheme was not implemented and this application seeks an amendment only to the appearance of the approved scheme. The extension would be finished externally in brickwork with roof tiles to match those of the host building; the window and door openings are in the same place and frames would be uPVC to again match the main building.

Principle

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

Design and Appearance

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design.

Saved Policies QL9, QL10 and QL11 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The proposed extension by virtue of its size and scale is clearly subordinate to the existing building. Whilst it is situated beyond the building line along Vicarage Gardens it is considered that given the depth of the proposed extension that this would not cause material harm to the character and appearance of the surrounding area.

Impact on Neighbours Amenities

The NPPF, at paragraph 127 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'.

The proposed extension is situated on the elevation facing Vicarage Gardens in a location where it will not result in any adverse impact on the amenities of neighbouring residents.

Highway Issues

The access and parking arrangement remain unaltered as part of this proposal.

Other Issues

Policy COM5 (ii) (e) states that the extent and nature of any alterations/extension or new separate buildings which may be required for institutional uses should not result in the over development of the site.

Given the size of the proposed extension it is considered that it does not result in over-development of the site.

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 plan: 164 02, received 9th April 2019.

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?		NO
Are there any third parties to be informed of the decision?		NO