

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	PW	03/06/19
Planning Development Manager authorisation:	AN	6/6/19
Admin checks / despatch completed	EL	06/06/19

Application: 19/00578/FUL **Town / Parish:** Clacton Non Parished
Applicant: Mr S Fairweather
Address: 39 Highview Avenue Clacton On Sea Essex
Development: Proposed single storey rear extension with glazed roof lantern.

1. Town / Parish Council

n/a

2. Consultation Responses

n/a

3. Planning History

19/00578/FUL Proposed single storey rear extension with Current
glazed roof lantern.

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies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 planning permission for a single storey rear extension with glazed roof lantern to a semi-detached dwelling within the Development Boundary of Clacton On Sea.

Design and Appearance

The proposed extension will be sited to the rear of the property, so will not be prominent in the street scene. The side elevation of the proposal will be visible from the highway, but the proposed extension is well related to the host dwelling and is an appropriate size and scale. Facing brickwork to the external walls will match the host dwelling. Adequate private amenity space will be retained to the rear of the dwelling.

Impact in Neighbours

The proposed extension will be sited at the shared boundary with the attached neighbour to the south. The 45 degree daylight/sunlight test shows there will be no significant impact on this neighbour's daylight or outlook. There are no south facing openings proposed that will impact this neighbour's privacy.

The extension will be separated from the shared boundary with the northern neighbour by 2.55m. The 45 degree daylight/sunlight test again shows there will be no significant impact on neighbouring daylight or outlook. A side facing opening to create a door is proposed, but the opening is only at ground floor level and will have no greater impact on neighbouring privacy than the existing side facing door.

Other Considerations

No letters of representation have been received.

Conclusions

In the absence of material harm a result of the proposed development, this 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. 01 Revision D.

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