

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	14/06/19
Planning Development Manager authorisation:	SCE	14.06.19
Admin checks / despatch completed	SB	17/06/19

Application: 19/00622/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr & Mrs Ray

Address: 46 Jaywick Lane Clacton On Sea Essex

Development: Variation of condition 2 of approved application 18/01842/FUL to create a wider projection with the front door within instead of adjacent to front projection.

1. Town / Parish Council

Clacton – Non Parished.

2. Consultation Responses

N/A

3. Planning History

94/01472/FUL	Parking of commercial vehicle	Refused	21.02.1995
09/00917/FUL	Proposed first floor extension and two storey side extension, plus various internal amendments.	Refused	21.12.2009
10/00121/FUL	Proposed first floor extension and two storey side extension plus various internal amendments.	Approved	01.04.2010
18/01842/FUL	Proposed replacement dwelling (chalet) following demolition of existing bungalow & pre-fab outbuilding/garage.	Approved	28.01.2019

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

HG14 Side Isolation

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

Local Planning Guidance

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is 46 Jaywick Lane, which was previously a single storey residential dwelling located within the parish of Clacton-on-Sea. At the time of the site visit the dwelling has been demolished, with construction for a replacement dwelling approved under 18/01842/FUL underway. The character of the surrounding area is largely urbanised, with residential development to all sides. The site falls within the Settlement Development Boundary for Clacton-on-Sea, as agreed in both the Adopted Tendring Local Plan 2007 and the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Description of Proposal

This application seeks planning permission for the variation of condition 2 of previously approved 18/01842/FUL. The variation is to the design of the replacement dwelling, with the only changes being a wider front gable to incorporate a front porch and a change of materials from render to brick.

Site History

Under planning reference 18/01842/FUL, planning permission was approved for a replacement 1.5 storey dwelling following the demolition of the existing single storey dwelling.

Assessment

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The application involves alterations to the previously approved replacement dwelling, namely the widening of the front elevation gable and the change of materials to brick. The alterations are largely to the front elevation and will therefore be visible from the adjacent street scene along Jaywick Lane. The surrounding area consists of a mixture of materials and the proposed brick is therefore acceptable in this location. The widened front gable, which will also incorporate the front porch will again be visible, however will not result in a height or width increase to the overall dwelling. Further, the roof pitch is in-keeping with the dwellings ridge, ensuring the front gable will not appear incongruous, and therefore the proposed changes will not be visually harmful.

Given the minor nature of the proposed changes and that separation distances to neighbouring properties are maintained, there is not considered to be any adverse impacts to existing amenities.

There are no other alterations proposed, and therefore the site is still able to retain sufficient space for the parking of two vehicles measuring 5.5m x 2.9m to the front of the dwelling.

Other Considerations

Clacton is non-parished so no comments are required.

There have been no other letters of representation received.

6. Recommendation

Approval.

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing number 01 revision E.

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.