

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	1C	12.06.19
Planning Development Manager authorisation:	SCE	14.06.19
Admin checks / despatch completed	SB	17/06/19.

Application: 19/00639/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr Hadley Butcher

Address: 41 Jubilee Avenue Clacton On Sea Essex

Development: Proposed dormer to front and rear elevations to form new bedroom in roof space, single storey rear extension and garden room in garden over 2.5m high.

1. Town / Parish Council

None received.

2. Consultation Responses

None received

3. Planning History

19/00639/FUL	Proposed dormer to front and rear elevations to form new bedroom in roof space, single storey rear extension and garden room in garden over 2.5m high.	Current
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4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

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

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 property is the right hand of a pair of 20th century semi-detached bungalows. Development in the locale was constructed at a similar time. The area comprises a number of 'pockets' of bungalow design – five different designs in the local. Very few of the dwellings have forward-facing dormers; the exceptions to this are Nos. 52 & 54 which were originally constructed with a pair of flat-roofed dormers and No. 47 who has a very small pitched roof dormer. Typically the dwellings are finished externally in painted render of various colours, the roof is an interlocking tile.

The dwelling has a west-facing garden which backs on to a large imposing flank wall of a functional building within the curtilage of the adjacent holiday park.

Description of Proposal

The application seeks planning permission for three main elements; proposed forward and rear-facing dormers in the roof plane, a single storey rear extension and a detached outbuilding. The dormers would provide additional head-height for the proposed bedrooms, the rear extension would enlarge the kitchen following the removal of both an existing conservatory and the existing detached garage, the outbuilding is described as a garden room.

The front dormer would be sited to the left hand of the roofslope centrally above the ground floor left hand window. As submitted on 23rd May the drawings proposed a front dormer 3.6m wide; this width (in relation to the 7.7m overall width of the roof) was considered to potentially dominate the roofslope. Concern was felt that, if approved, the approval would leave the Planning Authority in a

difficult position to resist such applications in the future which would have the potential for seriously eroding the relatively diminutive and modest character of the area. Revised amended plans were negotiated and submitted on 15th May which showed the front dormer significantly reduced in width down to 1.9m. The dormer would have a flat roof with a height around 1.3m and sit equidistant between the ridge and eaves and would appear as a subservient addition within the front roofslope. Externally the front dormer would be finished in Cedar Weatherboard.

The rear dormer would occupy the entire roofslope and have a shallow pitch. The Local Authority would find it difficult to substantiate a refusal on design grounds as the dormer is very typical of one which could be constructed utilising permitted development rights. Externally the rear dormer would be finished in weatherboard.

The rear extension would project a little under 3m and occupy the full width of the property; it would have a flat roof with a nominal overhang of 0.3m and be in the region of 2.6m high. Externally the extension would be finished in Cedar Weatherboard.

The outbuilding would be sited almost hard against the rear boundary and inset from each side boundary by around half a metre. It would have a dual pitched roof with a ridge in the region of 3.4m. Externally it would be finished in Cedar Weatherboard and have an interlocking clay-tiled roof.

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 attach 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 height, width, design and external materials of the proposed dormer(s), the rear extension and the outbuilding would respect the character of the host dwelling and wider streetscene in general.

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'.

No. 39 has a single storey rear conservatory which has a depth just less than the one proposed. Due to the orientation of the application site, separation distances and existing built form there is no significant additional risk of loss of privacy, daylight or harm to the amenities of any of the adjacent neighbours.

Highway Issues

The resultant development adds an additional bedroom at the property and removes the existing garage. The existing garage is not a viable parking space as access to the rear garden has been

fenced off in front of the garage. There is sufficient space on the hardstanding forward of the front elevation to accommodate two vehicles.

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: PP-01-A received 15th May 2019

Reason - For the avoidance of doubt and in the interests of proper planning.

8. Informatives

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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