

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 a mid-20th Century detached bungalow finished externally in self-coloured roughcast render, the front gable has a clay hanging-tile feature and the main roof has an interlocking clay-tiled. Properties within the locale are, for the most part, single storey bungalows akin to the scale and appearance of the application site; there are some exceptions to this and adjacent both sides of the property are two-storey dwellings (one pair of late 19th Century semi-detached villas and one substantial early 20th detached dwelling).

The property has a large area for off-street parking just over 10m deep and 10m wide; there is also a detached garage though its internal dimensions fall well short of the current 7m x 3m standard required.

Flank-to-flank separation distances in the region of 5.7m exist between No. 36 and No. 38 to the north-east and around 6.5m (with an intervening garage) between No. 36 and No. 34 to the south-west.

Description of Proposal

The application proposes the demolition of the detached garage, sun room, part of the lounge and the conservatory and replacing these built forms with a single-storey rear extension. The extension would be around 7.1m wide (in line with the existing dwelling) and 5.8m deep (the same depth of projection as the existing conservatory). Internally the existing dwelling would be reconfigured to create an additional bedroom; the proposed extension would provide an enlarged living room, kitchen and dining-area.

Externally the structure be finished in self-coloured render and roof tiles to match existing.

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.

Given the scale, siting and design of the proposed extension 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 proposal includes a side-facing window serving a new bedroom; this window is of a high-level type and would open towards the flank elevation of the garage at No. 34. In terms of the siting and scale of the extensions proposed, they will not result in any adverse impact on the amenities of neighbouring residents in terms of having a damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

Highway Issues

The proposal generates an additional need for parking inasmuch as increasing the number of bedrooms from 2 to 3. Notwithstanding this, the paved parking area surrounding the front/side elevations of the property can more than adequately accommodate the minimum two-spaces required.

Other

Little Clacton Parish Council recommend that a condition controlling/preventing building materials from being unloaded or stored on the greensward. Paragraph 55 of the NPPF states "Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects." The greensward referred to is neither in the ownership of the applicant or is it included in the red-outlined site plan; as such imposing a condition on this parcel of land is neither enforceable nor reasonable.

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: 01, revision A, received 1st 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 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