

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 to form a 'granny annexe' and a detached single storey garage within the curtilage of a detached bungalow within the Development Boundary of Clacton on Sea.

Design and Appearance

The proposed extension and garage will both be sited to the rear of property, so will not be overly prominent when viewed from Wyndham Crescent.

The proposed annexe will extend 8.325m beyond the rear wall of the existing house, and will have a hipped roof with matching eaves height by lower ridge height than the host dwelling - which will ensure the proposal appears subservient. The design is well related to the host dwelling, and matching materials will create a sense of cohesion between the existing dwelling and new addition.

The detached garage will be sited to the rear of the site, and will be visible from the footpath leading to the playing fields to the West to the rear of properties on Archery Fields to the North. The garage will be 4.5m in height, and be sited close to the shared boundary with the adjacent neighbouring to the south west - 47 Wyndham Crescent. The design is appropriate and the scale can be accommodated in the site.

The property benefits from a large back garden, and adequate private amenity space will be retained following the erection of both elements of the proposal.

Impact on Neighbours

South West Neighbour - 47 Wyndham Crescent

The proposed extension/annexe will be separated from the south western boundary by 4m at its closest point, and 5.25m at the furthest point. Because of this separation, the 45 degree daylight/sunlight test shows that there will be no significant impact on neighbouring daylight or outlook as a result of the proposal. Neighbouring privacy is already limited due to the low level fence at the boundary and the large windows serving the neighbour's conservatory. The impact of

proposed side-facing windows at ground floor level will therefore be limited - and any impact could be mitigated by a 2m boundary fence which could be erected without planning permission.

The proposed garage will be separated from this neighbour by 9m, so there will be no significant impact on the neighbour's amenities as a result.

Northern Neighbours - 36 and 38 Archery Fields

The proposed garage will be closest to the neighbouring properties to the north. It will be close to both the northern and western boundaries of the site - however, it will be separated from neighbouring properties by at least 5m. The 45 degree daylight/sunlight test shows there will be no significant impact on neighbouring daylight or outlook as a result of the proposal. The proposal will not significantly impact the privacy of neighbours to the north because all openings are at ground floor level and there is a tall close boarded fence in situ at the northern boundary.

Other Neighbours

The proposal will not be sited close to other neighbouring properties - 27 Archery Fields to the north or 51 Wyndham Crescent to the east - and will therefore not have a significant impact on these neighbour's amenities in terms of daylight, outlook or privacy.

Other Considerations

Two letters of objection have been received - one from the neighbour to the west (47 Wyndham Crescent) and one from the neighbour to the north (38 Archery Fields). Objections are summarised below, and material planning considerations raised have been addressed in the report above.

- Too large
- Large side elevations will impact neighbouring outlook
- View from conservatory affected
- Loss of privacy
- Loss of daylight
- Garage would be noticeable and obtrusive

Conclusion

In the absence of significant material harm as 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: '1:500 Block Plan' and Drawing no. 2.

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.

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| 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 |