

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	PW	15/07/19
Planning Development Manager authorisation:	TF	19/07/19
Admin checks / despatch completed	ER SB	19/7/19 19/07/19.

Application: 19/00742/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr J Cronin

Address: 16 Stratford Road Holland On Sea Clacton On Sea

Development: Convert existing garage into study and extend bedroom 3 at first floor level.

1. Town / Parish Council

n/a

2. Consultation Responses

n/a

3. Planning History

19/00742/FUL	Convert existing garage into study and extend bedroom 3 at first floor level.	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

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG9 Private Amenity Space

HG14 Side Isolation

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 the erection of a first floor extension above an existing garage (which will also be converted) to a detached dwelling within the Development Boundary of Clacton on Sea.

Design & Impact

The proposed first floor extension will be sited to the front of the property, and will be visible from the highway. The extension will be above the existing garage (which will be converted to a study), and sit within the existing footprint of the building. The design is appropriate and well related to the host dwelling, and materials are in keeping with the character of the building. Adequate side isolation is retained in accordance with policy HG14 to avoid a terracing affect, and private amenity space will be unaffected by the proposal.

Impact on Neighbours

The proposal will be sited close to the boundary with the north-western neighbour, 18 Stratford Road, with the two storey extension separated from the common boundary by 1m, and from the neighbouring dwelling a further 1m from the boundary. 18 Stratford Road has a first floor dormer window facing this boundary, opposite the existing side facing window of the application site (which serves the staircase). The proposed extension will be slightly forward of these windows.

Although the affected window will already experience some overshadowing due to the orientation of the properties, the 45 degree daylight/sunlight test shows that the centre of the window will not be within the 45 degree overshadowing zone in section - which means that there will not be a significant impact on the neighbour's daylight or outlook. No additional side facing windows are proposed that would impact neighbouring privacy.

Other Considerations

No letters of representation have been received.

Conclusion

In the absence of 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: Drawing no. TDC-0519-1-1.

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