

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 permission for a single storey rear extension, increasing the height of the roof above the existing garage so that it joins the main roof to enable a loft conversion with front and rear dormers and a replacement front porch. The detached bungalow of 24 Canterbury Road is located within the settlement development boundary of Clacton on Sea.

Design and Appearance

The immediate area of Canterbury Road is made up of detached bungalows built during the same period and of a similar style with grass verges and street trees adding to the charm of the area. Many of the detached bungalows have already been extended to the rear and side as well as converting the loft spaces to create extra rooms. The detached properties of numbers 18 and 26 Canterbury Road have been extended in the same form proposed for number 24. In order to create the new roof structure the garage will be brought forward by 0.7 metres so that it is level with the set back front elevation. The eaves height of the garage will be raised so that it aligns with the existing bungalow thereby creating a seamless appearance when viewed from the front. The existing roof tiles will be used on the new roof and any new tiles will match the existing. The replacement front porch will refresh the entrance to the bungalow while the new front dormer, finished in render ensures there will be no significant impact to the character of the existing dwelling or the immediate area.

At the rear of the property, the proposed extension spans the width of the existing bungalow and will have matching eaves height and will be finished in render. A low level lantern style roof will allow light into the new space, as will bi-fold glazed doors which will create a modern appearance at the rear of this traditional chalet bungalow. The rear dormer will also be finished in render to match the front dormer and will tie in with the overall appearance and character of the enlargement.

The design and scale of the proposal is acceptable and would result in no material harm to visual amenity.

Impact upon Residential Amenity

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4 metres in height, as in this case where the garage roof height is being increased. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary. In this case there is a distance of 0.3 metres to the western side boundary shared with 22 Canterbury Road and a distance of 0.85 metres to the eastern boundary shared with number 26.

Due to its close proximity to the western boundary the proposal has the potential to result in loss of light to the property of 22 Canterbury Road and therefore the calculations specified within the Essex Design Guide have been applied. There are two windows on the eastern elevation of number 22 which serve a bathroom and kitchen. A further opening to the kitchen exists on the rear elevation of the flat roof extension. The 45 degree line in plan would intercept both side facing windows of number 22; however in elevation it would intercept half of both of the windows. Given that one side window serves a bathroom and the other side window is a secondary light source to the kitchen it is considered that the loss of light is not so significant to justify refusing planning permission on these grounds. The outlook from the side kitchen window of number 22 Canterbury Road is not considered to be significantly affected by the proposal as the garage already exists in this position and although the proposal will build on top of this the roof slopes away from number 22.

The proposal also has the potential to result in loss of light to the property of 26 Canterbury Road and therefore the calculations specified within the Essex Design Guide have been applied. The 45 degree line in plan would intercept the rear window of number 26; however in elevation, due to the separation distance between the properties it would not intercept the rear window at number 26. It is therefore considered that the loss of light is not so significant to justify refusing planning permission on these grounds. The proposed rear extension will replace the existing smaller flat roof extension located on the south eastern side of the bungalow. The proposed roof light is sited on the eastern roof slope facing 26 Canterbury Road, however this roof light allows light into the stairwell and does not serve a room which is lived in during the day therefore it is not considered to significantly impact the privacy of the neighbouring property who has no openings on their western side elevation or roof slope.

It is not considered that the front and rear facing dormers will significantly impact on the neighbours amenities in terms of loss of privacy or overlooking.

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 100 square metres of private amenity space for a property with three or more bedrooms. More than 200 square metres of private amenity space will remain at 24 Canterbury Road following the construction of the proposal which is considered more than adequate.

The existing single garage does not meet the required standard as per the Essex County Council Parking Standards where the internal dimensions of a single garage should measure 7 metres x 3 metres. One off road car parking space which is in use in front of the garage also fails to meet the current parking standards where one space should measure 5.5 metres x 2.9 metres. Although the car parking standards cannot be met in this case it is evident that an average car is able to park on the driveway off of the road. There are other private driveways which give provision for off road car parking along Canterbury Road that do not meet Essex County Council Highways policy criteria. Taking into account the unclassified nature of Canterbury Road, the grass verge and wide footpaths in front of dwellings it is considered that on balance the undersized car parking space is acceptable in this case and the harm caused is not so significant as to justify refusal of the planning application.

Other Considerations

No letters of representation have been received.

Conclusion

In the absence of material harm resulting from the development the 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: Site Plan 1:500, Proposed extension 1:100 dated 25th May 2019.

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:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO