

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	12/08/2019
Planning Development Manager authorisation:	AN	12/8/19
Admin checks / despatch completed	SB	12/08/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	12/8/19

Application: 19/00898/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr & Mrs K Fletcher

Address: 70 Kestrel Way Clacton On Sea Essex

Development: Proposed additions to bungalow.

1. Town / Parish Council

N/A

2. Consultation Responses

N/A

3. Planning History

19/00898/FUL Proposed additions to bungalow. Current

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 County Council Parking Standards

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 (including Site Description and Proposal)

Application site

The application site is located to the east of Kestrel Way, inside the development boundary of Clacton. It serves a chalet bungalow constructed of boarding and brick with a tiled roof. The front of the site is both laid to lawn and paved for parking which wraps round to the east side of the property. The rear garden is decked and paved with close boarding fencing on the rear and side boundaries, the existing garage serves a brick wall to one side of the rear garden and the other boundaries are boarding fencing.

Proposal

This application seeks planning permission for a single storey rear extension, side extension and conversion of the existing garage. The proposed rear extension will measure a maximum depth of 3.3m, 4.9m wide - extending the entire width of the existing rear elevation, and will have a flat roof with a maximum height of 3.2m. The proposed side extension will measure a maximum depth of 11.2m, 5.5m wide and will have a flat roof with a maximum height of 3.2m. The proposal will be constructed of brick with a flat roof.

Assessment

The main considerations of this application are the design, highway safety and the impact upon residential amenity.

Policy Considerations

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3

of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Design and Appearance

The proposed single storey rear extension is considered to be of a scale and nature appropriate to the site and the surrounding area, and is of a design that is in keeping with the host dwelling.

There will be no views of the rear extension from the road, so the development will not be publicly visible or have any impact upon the street scene. It is important to note that there is an existing rear conservatory, where the proposed extension is proposed.

The side extension is set back from the front elevation of the property by 4.4m making it appear as a subservient addition. Whilst the extension will be publicly visible it will be set back from the road by approximately 9.7m. Furthermore, the use of brick will blend the development with the host dwelling, resulting in a neutral impact upon the street scene.

The proposed development is therefore considered to be in keeping with the host dwelling and is acceptable in design terms

Highway Safety

Whilst the garage is being converted and the proposed side extension will impose upon the existing driveway, the remaining driveway is 10m long. The preferred parking bay size is 2.9m x 5.5m, but the minimum parking bay size is 2.5m x 5m. There is therefore parking for two cars in line with the Essex County Council Parking Standards. The proposal would therefore not result in a harmful impact to highway safety.

Impact on Residential Amenity

The rear extension is adjoining the boundary to 2 Finchdale and is proposed to attach to the existing garage. It is important to note there is an existing single storey conservatory in situ, and therefore the proposal will not have any significant greater impact than this existing conservatory. Furthermore as the proposal is for a single storey flat roof extension, there will be no significant loss of light or overlooking.

Private Amenity Space

Policy HG9 of the Tendring District Local Plan (2007), Private Amenity Space, states that for a two bedroom house the private amenity area needs to be a minimum of 75msq. Due to the proposed rear extension this policy is not met. However, in this case there is an existing conservatory and the proposed rear extension will only be extending an additional 0.8m. Therefore on balance the harm is not sufficient enough to warrant a reason for refusal.

Other Considerations

No letters of representation was received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the application is recommended for approval.

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