

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	05/08/2019
Planning Development Manager authorisation:	TF	13/08/19
Admin checks / despatch completed	AP	14/8/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	Wale	14/08/19

Application: 19/00911/FUL **Town / Parish:** Clacton Non Parished

Applicant: Miss Elizabeth Coomer

Address: 7 Orchard Close Clacton On Sea Essex

Development: Proposed two storey rear extension and rendering of existing house.

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

Not applicable

3. Planning History

19/00911/FUL Proposed two storey rear extension Current
and rendering of existing house.

4. Relevant Policies / Government Guidance

National Planning Practice Guidance

NPPF National Planning Policy Framework February 2019

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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site comprises of a west facing detached two storey dwelling with adjacent driveway. The dwelling is one of two in the vicinity which is similar in design and has been constructed from brick.

Proposal

This application seeks permission for the erection of a two storey rear extension and the rendering of the whole dwelling with cream render.

Assessment

Design and Appearance

The area is characterised by a number of bungalow and chalet bungalow typed dwellings varying in brick and render construction and finish.

The proposal includes the rendering of the whole dwelling and extension which will be a noticeable change within the streetscene however as a result of other examples within the area that are also finished in varying colours of render the change from brick to render would not appear harmfully within the streetscene.

The proposed rear extension will be sited to the rear and not publicly visible which will prevent it from having a harmful impact to the streetscene.

The proposal will be over 4m in height and will be sited a minimum of 1m from each boundary to prevent it from appearing cramped on the site.

The proposed extension is of an appropriate size to the main dwelling and will appear as a subservient addition.

The proposal will be consistent with the main dwelling by continuing the same eaves and ridge height and will be finished in a cream render which will be consistent with the host dwelling.

The site is of a sufficient size to accommodate the proposal and still retain sufficient private amenity space.

Impact on Neighbours

Due to the minor nature of the rendering to the dwelling this change will not result in a harmful impact in terms of residential amenities to the neighbouring dwellings.

The proposal will be visible to 6 Orchard Close situated to the south of the site. This adjacent two storey dwelling is orientated away from the application house with only one side window which serves a kitchen. This neighbouring dwellings orientation will result in the proposal being 8.5m from this neighbouring dwelling furthermore any views of the proposal will not be prominent from this neighbours rearward facing openings. The proposal will be visible from this neighbours side window which already looks onto the side of the application house and its own outbuildings

receiving little light and outlook at present. The introduction of the proposal will reduce this further however as this neighbour already receives little light and outlook from this window it would be unreasonable grounds to refuse planning permission upon.

A new roof light is proposed to face onto the dwelling of 6 Orchard Close, as a result of its siting within the roof slope it is likely that any views will be limited and this window would not result in a significant amount of overlooking to this neighbour. As this neighbour is not currently overlooked by any first floor side facing windows a condition has been imposed to the permission ensuring that this window is obscure glazed to safeguard the residential amenities of this neighbour.

Sited to the north is 8 Orchard Close which has two openings to the side of the dwelling which are obscure glazed. These windows currently look onto the existing dwelling and due to their obscure glazing already receive little light and outlook. This will be further reduced by the proposal however as a result of their existing siting the loss of light and outlook to these windows would be unreasonable grounds to refuse planning permission upon.

The proposal will result in a loss of light and outlook to no 8 Orchard Close's rear elevations and therefore the sunlight and daylight calculations specified within the Essex Design Guide have been applied to the proposal. The 45 degree line in plan and elevation would only just touch this neighbouring dwellings side wall. It is therefore considered that as the 45 degree lines would not intercept the neighbouring windows that the loss of light would not be so significant to warrant refusal of this application. Furthermore the design of the proposed extension will continue that of the existing house and will comprise of low eaves heights of 2.3m which will further reduce the loss of light and outlook to this neighbour.

The proposal will be sited 1m from this neighbouring dwelling and partially screened by the existing boundary fencing and once more as a result of its design it will have a low eaves height of 2.3m which will reduce the level of outlook experience by this neighbour. The proposal would therefore not result in such a significant loss of outlook to this neighbour to refuse planning permission upon.

The existing dwelling has a first floor window which has direct views into each of the neighbouring gardens. The proposal shows that the extension will include a window of similar design and siting serving the new bedroom. As these houses are already overlooked by the host dwelling it is considered that the level of privacy lost in this occasion is not so significant to refuse planning permission upon.

Other Considerations

Clacton is non parished and therefore no comments are required.
No letters of representation have been received.

Conclusion

In the absence of material harm resulting from the proposed 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 plan: Block Plan 1:500 @ A4, and Drawing No's EC/PL 04 and EC/PL/03

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the Velux rooflight to the first floor serving the bathroom shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

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.