

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	13/08/2019
Planning Development Manager authorisation:	GS	21/8/19
Admin checks / despatch completed	GC	22/8/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	KLO	22/08/19

**Application:** 19/00959/FUL **Town / Parish:** Little Clacton Parish Council

**Applicant:** Mr & Mrs F Rodriguez

**Address:** 31 Feverills Road Little Clacton Clacton On Sea

**Development:** Demolish garage and erect a two storey side extension.

### 1. Town / Parish Council

Little Clacton Parish  
Council

Recommends Approval.

### 2. Consultation Responses

Not applicable

### 3. Planning History

19/00959/FUL Demolish garage and erect a two storey side extension. 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  
TR1A Development Affecting Highways  
TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)  
SPL3 Sustainable Design

Local Planning Guidance  
Essex County Council Car Parking Standards - Design and Good Practice

### 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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 site comprises of a south east facing two storey detached dwelling located within the development boundary.

### Proposal

This application seeks permission for the erection of a two storey side extension following demolition of the existing garage.

The plans have been amended since initial receipt of the application to show a lower ridge height to the roof of the proposed extension and to also show a half hipped roof design which will allow the proposal to appear more subservient to the host dwelling.

### Assessment

#### Design and Appearance

The area is characterised by a mixture of single storey and two storey dwellings. Opposite to the site many of the two storey dwellings within the immediate vicinity have previously extended by way of two storey enlargements to the side.

The proposal will be constructed to the side of the dwelling and will be a noticeable feature within the streetscene.

The proposal is of a design and size which is appropriate to the main house and will be finished in materials which are consistent with the host dwelling.

The proposed extension will be set back from the front wall of the existing house and lower in height which will allow it to appear as a subservient addition to the main dwelling.

The proposal will be set back from the front of the site and will appear subserviently to the main dwelling including incorporating materials which match those of the existing house. These elements will prevent the proposal from appearing as a harmful addition within the streetscene and to the overall appearance of the existing house and area. It is also noted that the proposal will be consistent with other development within the area.

A 1.5m space between the proposal and neighbouring boundary to the south west will be retained to ensure that the proposal does not appear cramped within the streetscene.

### Highway Safety

The proposal includes the demolition of the proposed garage reducing the amount of parking at the site.

Essex County Council Parking Standards states that where a dwelling comprises of two or more bedrooms that 2no off street parking spaces should be retained which measure 5.5m by 2.9m per space.

The application dwelling is set back from the highway with an area of land to the front which is of a large enough size to accommodate two parking spaces in line with the Essex County Council Parking Standards.

The proposal would therefore not result in a harmful impact in terms of highway safety.

#### Impact to Neighbours

The proposal will not be visible to 33 Feverills Road as it will be screened by the host dwelling. Sited to the east is 29 Feverills Road which is a detached bungalow which is set further back on its plot than the host dwelling. This neighbouring dwelling has two side windows which are obscure glazed.

As the proposal will not protrude past this neighbour's rear elevation it would not result in a loss of residential amenities to this neighbour's rearward facing openings.

Elements of the proposal will be visible from the two side windows and may result in a loss of light and outlook to this neighbour's side windows. As these windows are obscure glazed they already receive limited outlook and light and therefore the reduction of this resulting from the proposal would not be so significant to refuse planning permission upon.

A new first floor window will be proposed which will face the rear garden which will result in a loss of privacy to this neighbour. As this neighbour is already overlooked by the application dwelling it is considered that the level of overlooking resulting from this window would not be so significant to refuse planning permission upon.

The application dwelling and this neighbouring dwelling are south east facing. The application dwelling is set further forward on its plot than the neighbour at 29 Feverills Road resulting in the application dwelling screening the light which is received to this neighbouring house in the morning. Due to their orientation this neighbour receives most of its sunlight in the afternoons. Whilst the proposal will result in some loss of light to this neighbour's front garden and openings as this host dwelling already obscures the sunlight received to this property in the mornings it would be unreasonable to refuse planning permission on these grounds.

The proposal will result in a loss of outlook to this neighbour's front openings however as it will be sited 1.5m from this neighbouring boundary and due to the existing siting of the two houses on their plots the loss of outlook would not be so significant to refuse planning permission upon.

#### Other Considerations

Little Clacton Parish Council recommend approval for the application. No further 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: 1878-01 revision B.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.