

DELEGATED DECISION OFFICER REPORT

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

Application: 19/01055/FUL **Town / Parish:** Clacton Non Parished

Applicant:

Address: 39 Kings Parade Holland On Sea Clacton On Sea

Development: Proposed rear addition to house (retrospective).

1. Town / Parish Council

Holland on Sea non parished

2. Consultation Responses

Not applicable

3. Planning History

05/02151/OUT	Demolition of two dwellings 37/39 Kings Parade and proposed erection of 9 two bedroom apartment	Refused	31.01.2006
19/01055/FUL	Proposed rear addition to house (retrospective).	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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 site comprises of a south east facing dwelling with vehicular access and driveway to the front.

Proposal

This application seeks retrospective permission for the erection of a rear addition to the house.

Upon the officers site visit the works had already been completed.

Assessment

Design and Appearance

The proposal is sited to the rear however due to the open spaces between plots elements of the extension are visible from the streetscene.

Whilst visible from Kings Parade the proposal is set back from the front of the site and is of a single storey design and therefore does not appear prominently within the streetscene.

The proposal is of a size and design appropriate to the existing house and has been finished in brick and hardi plank. Whilst the use of these materials are inconsistent with the existing rendered dwelling as the proposal is to the rear and predominantly screened by the host dwelling they do not have a harmful impact to the overall appearance and character of the dwelling or area.

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

Impact on Neighbours

The proposal is of a single storey design which only accommodates one side facing opening which will be sited 1.5m from the neighbouring boundary and screened by the boundary fence preventing a significant loss of privacy to any of the neighbours.

The proposal does result in a loss of light to the neighbouring houses and therefore the Sunlight/Daylight calculations specified within the Essex Design Guide have been applied. The 45 degree line in plan would encompass both of the neighbouring properties rear openings however in elevation would only just intercept the neighbouring houses. Therefore the loss of light in this instance is considered not so significant to refuse planning permission upon.

The proposal does result in a loss of outlook to the neighbours however its low height of 3m with flat roof means that the majority of the proposal will be screened by the existing boundary fencing

which could be further increased to 2m in height under permitted development. It is also noted that the proposal is sited a minimum of 1m from each of the neighbouring boundaries. It is therefore considered the loss of outlook in this case is not so significant the 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 No conditions.

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.