

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	11/09/2019
Planning Development Manager authorisation:	TF	25/09/19
Admin checks / despatch completed	XLE	25/09/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	25/09/19

**Application:** 19/01142/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mrs Denise Chandler

**Address:** 53 Puffinsdale Clacton On Sea Essex

**Development:** Proposed first floor side extension, mono-pitched tiled roof over garage front porch (replacement of flat roof) and replacement of tiles to front elevation with weatherboarding.

**1. Town / Parish Council**  
Clacton non parished

**2. Consultation Responses**

N/A

**3. Planning History**

19/01142/FUL      Proposed first floor side extension,      Current  
mono-pitched tiled roof over  
garage front porch (replacement of  
flat roof) and replacement of tiles to  
front elevation with  
weatherboarding.

**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

HG14 Side Isolation

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

SPL3 Sustainable Design

**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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 an east facing two storey semi detached dwelling with adjacent garage. The dwelling is positioned back from the highway with a driveway to the front.

### **Proposal**

This application seeks permission for the erection of a first floor side extension, mono pitched roof over garage and porch and replacement of tiles to front elevation with boarding.

### **Assessment**

#### **Design and Appearance**

The area is characterised by a mixture of two storey and single storey dwellings which vary in materials. The two storey dwellings comprise of either boarding or render with brick plinths. Some of the two storey dwellings have previously extended incorporating alterations similar to the proposal.

The use of green boarding to the front of the house and front extension will be visible however as other properties within the area comprise of boarding to their front elevations in a variety of colours the use of this material would not be visually harmful to the area.

The new mono pitched roof to the front of the elevation serving the garage and porch will be publicly visible from the streetscene. As the existing dwelling is set back from the highway this change would not appear prominently within the streetscene. It is also noted that other properties within the vicinity have also amended their front elevations in a similar way and therefore the proposal would be consistent with the area.

The first floor side extension will be positioned over the existing garage. This part of the proposal will be lower than the ridge of the host dwelling by 1m and flush with the front wall of the main dwelling to prevent it from over dominating the main house and allowing it to appear as a subservient addition. The proposed first floor extension will be sited 1m from the neighbouring boundary to prevent it from appearing cramped within the streetscene. The materials used will comprise of green boarding to the front elevation to match the other alterations to the house described above and the side and rear elevation will be constructed from brick that match the existing house. It is noted that to the north, 59 Puffinsdale has constructed a first floor side extension under planning permission 02/01906/FUL similar to the proposal.

It is therefore considered that the proposal would not result in a harmful impact to the visual amenity of the existing dwelling and area.



### Impact on Neighbours

The proposal will be screened by the host dwelling and not visible to the neighbour to the north and would therefore not result in a loss of residential amenities to this neighbour.

The neighbouring dwelling to the south, 51 Puffinsdale has an existing garage to the side which creates a large gap between properties, this neighbour is also positioned further forward on its plot compared to the host dwelling. The proposal will be visible to this neighbour however as a result of the orientation of the properties and its distance away from this neighbouring boundary would not result in unacceptable impact in terms of loss of light or outlook.

The proposal also includes the introduction of a side facing window at first floor level which will overlook into this neighbours rear garden. To reduce the level of privacy lost to this neighbour a condition has been imposed upon the permission stating that this window should be obscure glazed.

The proposal will have a new window to the rear at first floor level which will overlook into this neighbours garden. However as this neighbour is already overlooked by the host dwelling from existing rearward facing windows at first floor the loss of privacy in this instance is not so significant to warrant a refusal of this application. It is also noted that the host dwelling is set further back on its plot so any views from this rearward facing opening will be towards the rear of the neighbours garden.

### Impact on Trees

Beyond the rear boundary are a number of trees covered by a Tree Protection Order. However, these are sited a sufficient distance away from the application house and will not be affected by the proposal.

There are no trees or other significant vegetation in the garden of the application site. However, there are three trees situated within the rear garden of the adjacent property; 51 Puffinsdale. The trees are a plum, (to the rear of the garage) and an Oak (set back further into the garden). The Oak has recently been pollarded.

Both make a reasonable contribution to the appearance of the area although their amenity value is not so great that they merit protection by means of a tree preservation order. Neither tree will be adversely affected by the development proposal.

There appears to be little scope, or need, for new soft landscaping

### Other Considerations

Clacton is non parished.

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: 01.

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 window to the first floor side elevation serving the study 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.