

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	16/10/2019
Planning Development Manager authorisation:	TF	17/10/2019
Admin checks / despatch completed	CC	17/10/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	17/10/19

**Application:** 19/01282/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr Kolja Strobl - KS Design

**Address:** 4 Dover Close Clacton On Sea Essex

**Development:** Proposed infill of a two storey projection and change of material to the entire two storey projection.

### 1. Town / Parish Council

Clacton Non Parished

### 2. Consultation Responses

N/A

### 3. Planning History

86/01521/OUT	Construction of mixed resort development to include museum complex, watersport facilities and car park, leisure related complex, shelters housing apartments, holiday village flats and housing with ancillary shopping	Approved	23.12.1986
87/00567/FUL	Construction of 133 houses, garages, parking spaces, estate roads and ancillary works (submission of part details under permission TEN/1521/86)	Approved	07.07.1987
19/01102/LUPROP	Erection of home garden office (outbuilding).	Approved	19.09.2019
19/01282/FUL	Proposed infill of a two storey projection and change of material to the entire two storey projection.	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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### **Site Description**

The application site is located to the south of Dover Close, inside the development boundary of Clacton on Sea. It serves a detached two storey dwelling constructed predominantly of red brick and a tile roof, with a central projecting gable on the front elevation that is open at ground floor level and an attached garage and driveway to the east. The site has a small frontage with gravel and small trees planted either side of the pathway which leads to the front door.

### **Proposal**

The application proposes to infill the ground floor section of the two storey central gable on the front elevation, including the use of grey horizontal cladding on the entire two storey projection.

### **Assessment**

The main considerations of this application are the design and the impact on residential amenity.

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**

The proposed development is considered to be of a scale and nature appropriate to the site and the surrounding area. No. 3 Dover Close, opposite the application site, has a two storey brick built front facing gable, and there are examples of light weatherboarding and dark hanging tiles on dwellings within the vicinity. The infill will not project any further forward than the forward most elevation of the main dwelling and the use of grey horizontal cladding will contrast with the existing

brickwork but is considered acceptable. Whilst the development will be publicly visible it is not considered to have an adverse impact on the street scene. Overall, the modest proposal and use of materials are considered acceptable in design terms.

#### Impact on Residential Amenity

The proposed development is located at the front of the property with no windows proposed in either side elevation. Furthermore, it will not project any further than the existing first floor gable, resulting in no adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

#### Other Considerations

No letters of representation have been 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**

- 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 plans: Drawing No. 282.19/011A Revision A Aug.2019, Drawing No. 282.19/013A Revision A Aug.2019, Drawing No. 282.19/021, Drawing No. 282.19/025A Revision A Aug.2019 and Drawing No. 282.19/027A Revision A Aug.2019.

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.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>		NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>		NO