

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	23 rd Oct 2019
Planning Development Manager authorisation:	TF	24/10/19
Admin checks / despatch completed	CC	24/10/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	24/10/19

Application: 19/01309/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr and Mrs Loberman

Address: 37 Haven Avenue Holland On Sea Clacton On Sea

Development: Proposed new single storey front extension, dormer windows and internal alterations.

1. Town / Parish Council

No comments received

2. Consultation Responses

No comments received

3. Planning History

00/01544/TPO	Top and lop minimum degree up to 30%, 2 Sycamore trees (TPO 97/30)	Approved	13.10.2000
19/01309/FUL	Proposed new single storey front extension, dormer windows and internal alterations.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

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)

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

SP1 Presumption in Favour of Sustainable Development

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The property is a detached chalet bungalow sitting centrally within a large plot with a north facing rear garden. The front of the property overlooks Haven Gardens with sea views beyond. Externally the property is finished in engineered red brick with an interlocking green concrete roof tiles. The property appears very 'top-heavy' as a consequence of having a much greater roof area versus the walls below. The property has three flat-roofed dormers to both the front and rear elevations and lightweight single storey glazed structures to both the front and rear elevations.

Description of Proposal

The application comprises three main elements being the construction of a replacement single-storey front extension with glazed balustrading over and replacement of the three front and rear dormers with one singular flat-roofed dormers.

The front extension would occupy the same footprint as the existing conservatory, have a flat roof approximately 2.9m high the upper surface of which would serve as a roof terrace, accessed by new patio doors from the new dormer. Around the perimeter of the roof would be frameless glazed

balustrading at a height of 1.1m. The replacement front and rear dormers occupy a similar location within the roofslope to the existing dormers, though the lower-edge of the dormers has been dropped making the dormers marginally taller than the existing. Both the front and rear dormers are inset from the roof edge by 0.4m.

Principle

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

Design & Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design.

Saved Policies QL9, QL10 and QL11 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The proposed replacement front extension is of a similar size, scale and layout to the existing front conservatory. In regards to its external appearance it would result in a modern addition to the dwelling, designed to take maximum benefit of the forward-facing views. The siting of the proposed replacement dormers reflects the existing built form in regards to the vertical siting that do not harm the roof proportions. Both the front and rear dormers are of similar appearance to each other, resulting in a continuing uniformity. No trees or other significant vegetation will be affected by the development proposal.

Impact to Neighbouring Amenities

The NPPF, at paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposal introduces new built form, but these essentially comprise of an updating of existing features. As such there is no significant additional risk of loss of privacy, daylight or harm to the amenities of any of the adjacent neighbours.

Highway Issues

The proposed development neither generates an additional need for parking nor decreases the existing parking provision at the site.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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:- PA.002 revision A, PA.005 revision D and PA.006 revision C received 29th August 2019.

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

8. Informatives

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.

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO