

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	20/11/2019
Planning Development Manager authorisation:	TF	20/11/2019
Admin checks / despatch completed	CC	20/11/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	WQ	20/11/19

Application: 19/00962/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr & Mrs Ganguly

Address: The Gables 12 Sladburys Lane Clacton On Sea

Development Proposed two storey front and rear extensions.

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

N/A

3. Planning History

19/00962/FUL Proposed two storey front and rear extensions. 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
HG14 Side Isolation

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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 application site is located to the east of Sladburys Lane, inside the development boundary of Clacton on Sea. The site serves a detached chalet style dwelling with a large pitched roof dormer window on the front elevation and an existing conservatory located to the rear. The dwelling is constructed of rough render with a painted black plinth, and black decorative boarding on the gable of the dormer and between the front elevation windows. The front of the site is laid to lawn with a concrete driveway leading to an existing detached garage which is set behind the dwelling. Mature trees are planted on the front boundary adjacent to the footpath. The rear of the site is laid to lawn with a small outbuilding, gravel patio area, fencing on the side boundaries and a high hedge on the rear boundary.

Proposal

The application proposes two storey front and rear extensions. The front extension will measure 1m deep from the forward most front elevation, increasing to 1.8m deep, with a width of 3.8m. It will have an eaves height of 4.5m and a ridge height of 6.5m. The rear extension will replace the existing conservatory. It will have a gable end and will measure 5m deep by 6.2m wide, with an eaves height of 3.7m and a ridge height of 6.4m. The ground level around level around the extension will be lowered by approximately 800mm. The proposed materials will consist of roof tiles and cream render to match the existing dwelling with a buff brick plinth.

The original application proposed a rear extension of the same footprint but without a lowered ground level, and with the use of light grey hardiplank boarding. The front extension, which included a higher ridge, was a jettied first floor projection with supporting posts at ground floor. This original submission caused concerns regarding bulkiness, the altered character and appearance of the dwelling and impact upon the street scene.

Representations

Two letters of objection were received regarding the original plans. Two further letters were received relating to the amended plans. The same concerns were raised, and are addressed in the officers report; these include:

- Very imposing
- Concerns over design, size and appearance
- Existing building lines
- Visual impact causing loss of light and overshadowing
- Loss of privacy
- Inadequate parking and turning
- Previous planning consents refused (there is no planning history for this site)

- Health and safety considerations during construction (the development is for a minor residential development that is not significant enough to cause any substantial concerns over dust, air or traffic management during the construction phase of development)

Assessment

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

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.

Saved Policy HG14 of the Tendring District Local Plan (2007) requires that extensions to dwellings over 4m in height should retain appropriate open space between dwellings and the side boundaries to ensure that new development is appropriate in its setting and does not create a cramped appearance as well as to safeguard the amenities and aspect of adjoining properties. As a guideline a minimum distance of 1 metre will be sought.

Design

The proposed front extension is now considered to be of a scale and nature appropriate to the site and the surrounding area. The extension will be publicly visible but will be set back from the road by approximately 13m. The front extension will be relatively screened by the existing planting at the front of the site, although it is appreciated that views will be possible on approach from the north and south of the site. Notwithstanding this, the development replicates the existing front gable dormer design and the use of matching materials will blend the development with the host dwelling. The extension will also have a ridge height that is 0.6m lower than the main dwelling making it appear as a subservient addition. Sladburys Lane is made up of a variety of different property styles and designs, and the properties along this stretch of the road have a slightly staggered building line so the protrusion of the front extension is not considered to have a significant adverse impact on the character of the area, making it a development that is considered acceptable in design terms.

With regards to the rear extension, there will be no views of this development possible from Sladburys Lane, so the development will not have any adverse impact upon the street scene. The use of render and roof tiles to match the existing dwelling are considered to blend the development with the host dwelling, and the lowering of the extension below ground level will reduce the height making it appear less intrusive. The rear extension will be located in excess of 1m from either side boundary and will not result in a cramped appearance. The extension will only extend 5m into the rear garden, whilst the existing conservatory extends 5.5m. Therefore, adequate private amenity space will continue to be retained for the occupiers of the property and overall the development is considered acceptable in design terms.

Impact on Residential Amenity

The proposed development will be located approximately 3.2m from the neighbour to the south, No. 10 Sladburys Lane (a chalet bungalow), and 3.3m from the neighbour to the north, No. 14 Sladburys Lane (a bungalow). Also located between the extension and the neighbour to the south is the existing detached garage.

The 45 degree rule contained within the Essex Design Guide has been applied to this development. Due to the separation between the extension and the side boundaries and the position of the actual neighbouring properties within their plots, there is not considered to be any significant adverse impact on the sunlight or daylight that is currently experienced by neighbouring property that would warrant the refusal of planning permission. Whilst some loss of outlook may be experienced by No. 10 from their rear conservatory this property is to the south of the

application site and the reduction in height of the extension due to the lowered ground level, and the change of materials is considered to improve the impact of the development on this neighbour, and once again, whilst it is appreciated that some impact may occur, this is not considered significant enough to refuse planning permission.

The proposed extension proposes new windows at first floor level on both of the existing side elevations of the main dwelling. These windows are annotated within the proposed floor plan as being obscure glazed. To protect the privacy and amenity of adjoining neighbours a condition is imposed to ensure this obscure glazing is retained as such at all times. With regards the insertion of 3 no. roof lights of the roof plane of the rear extension, these will give views skywards and will not cause concerns regarding loss of privacy or overlooking towards either neighbour.

Overall, whilst some impact may occur as a result of the development, the impact on the daylight, privacy and other amenities of adjoining neighbours is not considered significant enough to warrant the refusal of planning permission.

Parking

The proposed development increases a 2 bedroom dwelling to a 3 bedroom dwelling. The property has a concrete driveway approximately 19m in length before reaching the garage, albeit of substandard dimensions. The application site has adequate parking for at least 2 no. cars in line with the current parking standards. The parking arrangements available at the site remain unaltered as a result of the development. Any possible intensification of parking from the additional bedroom is not considered to cause a significant adverse effect on parking at the site and parking standards would still be complied with. There is therefore no objection to the development in terms of the impact and level of parking available at the site.

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 plan: Drawing No: 12/SLH/3 entitled Revised Elevations, and Drawing No: 12/SLH/4 entitled Revised Floor Plans.

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 1995 (or any Order revoking and re-enacting that Order with or without modification), the first floor window on the existing north side elevation serving the stairwell, and the first floor window on the south side elevation serving the atrium 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 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.

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