

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	29/11/2019
Planning Development Manager authorisation:	TF	09/12/2019
Admin checks / despatch completed	CC	10/12/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	10/12/19

Application: 19/01534/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr Robert Hardcastle

Address: 223 Kings Parade Holland On Sea Clacton On Sea

Development: Replace existing first floor window with French doors and Juliet balcony.

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

N/A

3. Planning History

19/01534/FUL Replace existing first floor window with French doors Current
and Juliet balcony.

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 north of Kings Parade, inside the development boundary of Holland on Sea. It serves a 1 ½ storey dwelling constructed predominantly of rough render with a tile roof. The front elevation is a gable end with a half hip roof with one central window at first floor and three windows at ground floor positioned symmetrically. The front door is located at the east side of the property via a single storey projection. The front of the site is paved with an area of gravel and includes a driveway for parking. The front of the site looks out across the greensward with sea views. The remainder of Kings Parade is made up of a variety of house types.

Proposal

The application proposes to replace the existing first floor window on the front elevation of the dwelling with French doors and a Juliet balcony.

Assessment

The main considerations of this application are the design, visual amenity 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 & Visual Impact

Kings Parade, Holland on Sea consists of a variety of different house styles and designs. Some have first floor conservatories, balconies and Juliet balconies at the front of the property to provide the occupiers of the property with sea views. The replacement of a first floor window with French doors and a Juliet balcony would therefore be considered to fit acceptably with the surrounding area. The proposed opening would be the same width as the existing and would be installed using UPVC to match the existing dwelling. It is noted that No. 217 King Parade has a similar arrangement to that which is proposed under this application. Whilst the development would be publicly visible, the precedent has already been set for such development in the area. The proposal is a modest development that would not adversely affect the street scene and is considered acceptable in terms of design and impact on visual amenity.

Impact on Residential Amenity

The proposed French doors and Juliet balcony would be located on the front elevation of the property and would not include any stepping out area that would cause any issue of overlooking. It would not adversely affect the private amenity space enjoyed by neighbouring property and would be considered acceptable in terms of the impact on residential amenity.

Other Considerations

No letters of representation have been received.

Conclusion

It is considered that the revisions to the proposed development are 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. PL02 Rev A, Drawing No. PL12 Rev A and Drawing No. PL13 Rev A.

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.

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