

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	20/12/2019
Planning Development Manager authorisation:	TF	23/12/19
Admin checks / despatch completed	CC	23/12/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	23/12/19

Application: 19/01661/FUL **Town / Parish:** Little Clacton Parish Council

Applicant: Mr J Apps and Miss C Oakeshott

Address: 124 The Street Little Clacton Clacton On Sea

Development: First floor rear extension and new boundary wall and gates.

1. Town / Parish Council

Little Clacton Parish
Council

In support of the application

2. Consultation Responses

Tree & Landscape Officer The development proposal will not adversely affect any important trees or other significant vegetation.

There is little scope or need for soft landscaping to be secured as part of any planning permission that may be granted.

3. Planning History

91/01296/FUL Granny annexe. Approved 06.08.1992

10/00001/FUL Proposed two storey side and first floor rear extension to form additional living space including demolition of existing garage and outbuildings. Refused 03.02.2010

10/00445/FUL Proposed two storey side and first floor rear extension to form additional living space including demolition of existing garage and outbuildings. Refused 28.05.2010

19/01661/FUL First floor rear extension and new boundary wall and gates. 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)

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks permission for a first floor rear extension, new boundary walls and gates.

Application Site

The site serves a West-Facing two storey detached dwelling located to the East of 'The Street' within the development boundary for Little Clacton/Weeley. The location comprises of a mixture of single and two storey detached dwellings constructed from differing materials, including brickwork, cladding, painted render and hanging tiles and tiled roofs. The site dwelling serves a two-storey detached dwelling constructed from painted render, brickwork with a tiled roof. The front of the property has a stone driveway and a lawn area, there is a detached outbuilding set back from the dwelling on the south side. The rear of the dwelling consists of a lawn area and a patio path running through the garden, there are two more outbuildings in the centre of the garden north and south side.

Assessment

Design and Appearance

The NPPF, 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 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 proposed rear extension will measure approximately 6.1m wide and 6m deep with a height of 2.3m.

The proposal will be constructed from materials to match that of the original dwelling, the exterior walls will be rendered, the roof will be pitched with matching tiles and the windows will be UPVC.

The proposed extension is situated to the rear of the property and will be partly visible from the highway at the gap between the host dwelling and the neighbouring dwelling to the south. However, as the dwelling is set back from the highway and the proposal will be constructed of matching materials it is thought that the proposal will cause no adverse effects on the visual amenities of the area.

The proposed boundary wall and gate will be situated to the front of the site, measuring approximately 1.3m tall, and will be visible from the street scene. It will be constructed with black wrought iron gates and railings and red brick. The design is in-keeping with the surrounding area as other dwellings already have red brick boundary walls to the front of their properties.

Impact to Neighbouring Amenities

The NPPF, 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 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).

Due to its proximity to the neighbouring property on the North side, and the size of the proposal calculations specified within the Essex Design Guide have been applied. The 45 degree line was applied in plan and in elevation. It was considered that any loss of light would not be so significant as to justify refusal of Planning Approval.

It is deemed that the proposed extension and boundary wall and gates will have no significant impact on loss of privacy, daylight or harm to the amenities of the adjacent neighbours.

Highway Issues

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

Other considerations

No Letters of representations have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

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 plan; Drawing No. ALC-01 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:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO