

## 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	AP	23/12/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	↓	

**Application:** 19/01696/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr and Mrs Coombes

**Address:** 46 The Avenue Clacton On Sea Essex

**Development:** Single storey rear extension (following demolition of extension).

### 1. Town / Parish Council

N/A

### 2. Consultation Responses

N/A

### 3. Planning History

92/00438/FUL	Rooms in roof space (new roof) and porch	Refused	09.06.1992
92/01305/FUL	Rooms in roof space with new roof	Approved	12.01.1993
96/01100/FUL	Single storey side extension	Approved	04.10.1996
96/01504/FUL	Side extension N.B. Variation to previous application TEN/96/1100	Approved	06.01.1997
19/01696/FUL	Single storey rear extension (following demolition of extension).	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

### **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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 the erection of a single storey rear extension, following the demolition of current extension.

Amended plans have since been received detailing a minor amendment to the kitchen layout which affected a minor movement of the rear door and window.

### **Application Site**

The application site is located to the east of The Avenue, within the development boundary for Clacton. The site serves a detached bungalow, the exterior walls are constructed from painted render and the roof of the original dwelling is pitched and tiled, the roof on the current rear extension is flat. The front of the property has a stone driveway, with low fencing around the border and some shrubbery, there is a garage attached to the north of the dwelling. The rear of the property is laid to lawn with a small patio area and shrubbery.

## Assessment

### Design and Appearance

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 extension will be constructed with materials to match those of the existing dwelling, the roof will be flat and the exterior walls will be painted render.

The extension will measure approximately 4m deep, 7.2m wide and have a maximum height of 2.7m. It is considered that the site can accommodate an extension of this size and scale and still provide adequate private amenity space.

The extension will be sited to the rear of the property and will not be visible from the highway. It is deemed that the proposal will have no adverse impact on the visual amenity of the area.

### 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).

The proposed extension will be built approximately 1m from the boundary of the neighbouring property south of the site dwelling. Due to its proximity to this neighbouring dwelling calculations specified within the Essex Design Guide have been applied. The 45 degree line does not intercept in plan nor elevation. The proposal is therefore considered to cause 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

Clacton is non-parished and therefore no comments will be required.

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. 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 Number 01 Revision C.

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>	YES	NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	YES	NO