

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 ground floor extension (following the removal of the conservatory), and a first floor extension.

Amended plans have since been received detailing an amendment to the original flat roof design of the first floor side extension, the roof is now proposed to be pitched.

Application site

The site is located to the West of Middleton Close, within the development boundary for Clacton. It serves a detached two storey dwelling constructed of brickwork, hanging tiles and a tiled roof. The front of the dwelling consists of a brick driveway and some shrubbery. There is a garage attached to the South side of the dwelling. The rear of the site is laid to lawn with a patio area, currently there is an attached conservatory to the rear of the dwelling.

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 ground floor extension will be constructed with a flat roof design, the exterior walls will be constructed of brickwork to match that of the existing dwelling. The first floor extension will

be constructed with a pitched roof design, the exterior walls will be constructed with fireboard incorporating a hardy plank finish. The windows and doors will be UPVC double glazed to match that of the existing.

The first floor extension will measure approximately 2.9 m wide, 5.9m deep and 2.8m height.

The ground floor rear extension will replace the existing conservatory and will measure approximately 2.4m deep, 5.4m wide and 2.6m height.

The first floor extension will be visible from the street scene, however it will be set back from the highway and constructed of materials in-keeping with the surrounding area and is therefore thought to cause no adverse impact on the visual amenities of the street scene.

It is considered that the site can accommodate an extension of the proposed size and scales and still provide adequate private amenity space.

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 proposal is deemed to 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

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 plans:

Document Titled Block Plan 15 Middleton Road, Scale 1:500
Document Titled Location Plan 15 Middleton Road, Scale 1:1250
Drawing Titled Proposed Front Elevation, Scale 1:50 dated 9.10.19,
Drawing Titled Proposed Ground Floor Plan, Scale 1:50, Dated 9.10.19,
Drawing Titled Proposed Side Elevation, Scale 1:50, Dated 9.10.19,
Drawing Titled Proposed first floor plan, Scale 1:50, dated 9.10.19,
Drawing Titled Proposed side elevation, scale 1:50, dated 9.10.19
Drawing Titled proposed rear elevation, Scale 1:50 dated 9.10.19.

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