

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	08/01/2020
Planning Development Manager authorisation:	TF	08/01/2020
Admin checks / despatch completed	CC	08/01/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	8/1/2020

Application: 19/01468/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr N Ruffy

Address: 4 Balmoral Avenue Clacton On Sea Essex

Development: Proposed ground floor extension with extended loft conversion.

1. Town / Parish Council

N/A

2. Consultation Responses

N/A

3. Planning History

19/01468/FUL Proposed ground floor extension Current
with extended loft conversion.

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

HG14 Side Isolation

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application site

The application site is located south east of Balmoral Avenue within the development boundary of Clacton on Sea. It serves a detached bungalow constructed of painted render with a tiled roof. The front of the site is partly concreted for parking and partly laid to lawn. The rear of the application site is mainly laid to lawn with a patio area. There is an existing garage to the rear facing Coopers Lane with close boarding fencing on the boundaries.

Proposal

This application seeks planning permission for a single storey rear extension and a first floor extension with two velux windows. The single storey rear extension proposal will measure a maximum depth of 5.3m, 8.2m wide, and will have a flat roof with a height of 2.9m with a roof lantern making the overall height 3.4m. The first floor proposal measures a maximum depth of 4m and will be the width of the existing dwelling house. The proposal will have a pitched to flat roof to match the host dwelling and the overall height will be 6m, within the rear of the proposed first floor extension is a dormer window.

The proposed materials throughout the proposed development will consist of white painted render with a tiled roof to match the existing host dwelling.

Assessment

The main considerations of this application are the design and the impact upon residential amenity.

Policy Considerations

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.

Background

Originally the planning application proposal was for a first floor pitched roof extension measuring a height of 6.3m, therefore amending the height of the existing host dwelling. The ground floor extension was proposed to have a hipped roof measuring a maximum height of 3.8m. The height and design of both the first storey and ground floor extensions were altered to lower the impact to the neighbouring properties and to lower the impact of the dwelling house having a bulky exterior.

Design and Appearance

The proposals are considered to be of a scale and nature appropriate to the site and the surrounding area. The use of matching materials and matching eaves will blend the development with the host dwelling. The proposed first floor and ground floor extensions will not be publicly visible from Balmoral Avenue, however will be publicly from Coopers Lane although the development will be publicly visible it will not have any impact upon the street scene as it will be set back from the rear boundary by a minimum of 10m. The rear dormer window is considered to be of a size and scale which do not dominate the rear roof slope of the building and therefore will not be harmful to the appearance of the area.

The design of the development overall is considered to be acceptable.

Impact on Residential Amenity

The two proposed Velux windows are to be sited high in the relevant roof slope and therefore would not cause any overlooking to neighbours.

The first storey and single storey rear extension will be a minimum distance of 4.5m to the shared boundary line with 6 Balmoral Avenue, and will be a distance of 1m to 2 Balmoral Avenue which complies with policy HG14 side isolation of the Tendring District Local Plan. As the extension is proposed to have a flat roof and is a minimum of 1m away from the neighbouring properties there will be no impact on the daylight, privacy or other amenities enjoyed by the neighbouring properties.

The dormer aspect of the application would not extend beyond the rear of either of the properties either side and therefore would not impact upon rear facing windows or the enjoyment of the resident's garden areas.

Overall the proposed extensions are not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring properties.

Other Considerations

No letters of representation were received.

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 / 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: Job No. BA/1'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 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