

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	07/01/2020
Planning Development Manager authorisation:	TF	09/01/2020
Admin checks / despatch completed	SOB	09/01/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	SB	09/01/2020

Application: 19/01669/FUL **Town / Parish:** St Osyth Parish Council

Applicant: Mr and Mrs Firmin

Address: 13 Beacon Heights St Osyth Clacton On Sea

Development: Proposed single storey rear extension (following partial demolition of extensions).

1. Town / Parish Council

Mr Parish Clerk St Osyth Parish Council No objections.

2. Consultation Responses

N/A

3. Planning History

19/01669/FUL Proposed single storey rear extension (following partial demolition of extensions). 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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 to the north of Beacon Heights inside the development boundary of Point Clear. It serves a detached two storey dwelling constructed of brick and hardie plank with a tiled roof. The front of the site is mainly paved for parking and the rest of the frontage is laid to lawn. The rear is laid to lawn with a patio area and close boarding fencing, hedging, trees and a brick wall make up the boundaries.

Proposal

This application seeks planning permission for a single storey rear extension with 4 roof lights within the rear elevation following the partial demolition of existing extensions. The single storey extension will measure a maximum depth of 3.6m, 11.6m wide and will have a monopitched roof with a maximum height of 3.9m.

The proposed materials throughout the development will consist of brick with a tiled roof top 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.

Design and Appearance

The proposed extension is considered to be of a scale and nature appropriate to the site and the surrounding area. The proposed extension is to the rear of the property and will not be publicly visible from Thorpe Road therefore there will be no impact upon the street scene.

Impact on Residential Amenity

The single storey rear extension is a minimum distance of 1.1m to 12 Beacon Heights, and is a minimum of 8.8m to 14 Beacon Heights which complies with policy HG14 side isolation of the Tendring District Local Plan. The proposed ground floor windows to the rear will not allow overlooking into private areas of neighbouring properties. The 45 degree rule contained within the Essex Design Guide has been applied to this development for completeness and has not failed in plan nor in elevation due to the locations of the neighbouring properties. The proposed roof lights to the rear elevation of the proposal will be above head height so will not result in overlooking.

Overall the proposed extension is not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

Other Considerations

St Osyth Parish Council have no objections to the planning application.

No further 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: Drawing no. 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