

## **DELEGATED DECISION OFFICER REPORT**

<b>AUTHORISATION</b>	<b>INITIALS</b>	<b>DATE</b>
File completed and officer recommendation:	AP	03/02/2020
Planning Development Manager authorisation:	TF	04/02/2020
Admin checks / despatch completed	CO	04/02/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	SOB	04/02/2020

**Application:** 19/01783/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr and Mrs J Brand

**Address:** 43 Bedford Road Holland On Sea Clacton On Sea

**Development:** Proposed alterations and extensions.

### **1. Town / Parish Council**

n/a

### **2. Consultation Responses**

n/a

### **3. Planning History**

12/01287/FUL      Rear extension, internal alterations      Approved      10.01.2013  
to form two bedrooms and WC in  
loft space and replacement garage.

19/01783/FUL      Proposed alterations and      Current  
extensions.

### **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  
HG9 Private Amenity Space  
HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)  
SPL3 Sustainable Design

Local Planning Guidance  
Essex County Council Car Parking Standards - Design and Good Practice

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### **Proposal**

This application seeks planning permission for a one and a half storey rear extension and replacement garage to an existing detached bungalow located within the settlement development boundary of Clacton on Sea.

### **Design and Appearance**

The proposed extension is to the rear and will only be partially publicly visible. The proposed garage will replace an existing garage and outbuilding in a similar position set back behind the property. The ridge and eaves height of the proposed extension match the existing bungalow along with the use of matching materials which ensures that the character of the existing dwelling will be maintained. The garage will be built using brickwork and roof tiles that also match the existing dwelling.

The development is therefore considered acceptable in terms of visual impact and meets the requirements of good design, appearance and scale.

### **Impact upon Residential Amenity**

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4 metres in height, as in this case. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary, which in this case has been met. A distance of 1.09 metres exists where the north east boundary is shared with 45 Bedford Road and a distance of over 3 metres exists to the south western side boundary shared with 41 Bedford Road. The garage height is 3.75 metres and is therefore not considered under Policy HG14. In addition, there will be no significant loss of light to either neighbour caused by the extension and the replacement garage.

One first floor window serving a bedroom will be created on the new rear elevation, with two high level roof lights on both roof slopes of the extension serving a bedroom, en suite and stair well. Three further roof lights will be inserted on the existing side facing roof slopes. Two will serve one bedroom and the third which is placed lower down the slope will allow light into the new ground floor bathroom which does not benefit from any other windows due to the layout. It is not considered that the rear facing first floor window and new roof lights will significantly impact on the neighbour's amenities in terms of loss of privacy or overlooking.

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 100 square metres of private amenity space for a property with three or more bedrooms. Over 200 square metres of private amenity space will remain following the construction of the proposal which is considered more than adequate.

Two car parking spaces which comply with the Essex County Council Car Parking Standards are required for a three bedroom property. The existing garage did not meet the Essex Car Parking Standards where the internal dimensions of a single garage should measure 7 metres x 3 metres and the replacement garage also fails to meet the criteria for the use of the garage as a parking space. There is access to a driveway in front of the garage which also fails to meet the current parking standards where one space should measure 5.5 metres x 2.9 metres however the off road car parking provision remains unchanged as does the number of bedrooms in the property. Taking into account the unclassified nature of Bedford Road, the grass verge and wide footpaths in front of dwellings it is considered that on balance the undersized car parking space is acceptable in this case and the harm caused is not so significant as to justify refusal of the planning application.

#### Other Considerations

No letters of representation have been received.

#### Conclusion

In the absence of material harm resulting from the development the application is recommended for approval.

### **6. Recommendation**

Approval - Full

### **7. Conditions**

- 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 BBR-01 Revision B

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.

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