

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	WC	13/2/2020
Planning Development Manager authorisation:	AN	13/2/2020
Admin checks / despatch completed	CC	13/2/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	<i>Line</i>	13/02/2020

**Application:** 19/01928/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Sarah Crow and Amanda Owen - Seaside Care Homes Ltd

**Address:** 46 Coppins Road Clacton On Sea Essex

**Development:** Proposed single storey rear and side extensions including 3 No. roof domes, following demolition of conservatory and garage.

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

None received.

### **2. Consultation Responses**

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority. It appears from the supporting information that staff will be living close by and apparently in walking distance to no.46 Coppins Road. The proposal is not altering the 'in' and 'out' vehicular access and there appears to be parking for three plus vehicles within the boundary of the premises, therefore:

From a highway and transportation perspective the Highway Authority does not object to the proposals as submitted.

Informative:

1: Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway. To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period.

2: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO1 - Essex Highways  
Colchester Highways Depot,

653 The Crescent,  
Colchester  
CO4 9YQ

### **3. Planning History**

07/01874/FUL	Change of use to be a 4 bedded children's respite home for children with severe disabilities and life limiting illness.	Approved	25.01.2008
19/01928/FUL	Proposed single storey rear and side extensions including 3 No. roof domes, following demolition of conservatory and garage.	Current	

### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019

NPPG National Planning Policy 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

TR1A Development Affecting Highways

COM5 Residential Institutional Uses

COM1 Access for All

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

SPL3 Sustainable Design

TR1A Development Affecting Highways

LP10 Care, Independent Assisted Living

#### **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.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination In Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

## **5. Officer Appraisal (including Site Description and Proposal)**

Site Description:

4-bed Bungalow in residential area, close to Clacton Coastal Academy. The building is within a row of bungalows on the north side of Coppins Road. Planning permission was granted for a change of use from dwelling to C2 use (07/01874/FUL). The building was vacated in 2017 and has had no intervening use.

Proposal:

Permission is sought for single storey side and rear extension with flat roof, creating 1 additional bedroom creating total of 5 bedrooms. The aim is to modernize the facility so that it is fit-for-purpose as a children's care home as detailed in the submitted statement by the applicant.

Analysis:

Principle of the development:

The principle of the use of the building for C2 was established by the change of use (07/01874/FUL) which permitted a 4 bedroom C2 use care home. The building is within the development boundary and thus the principle of extending the building is supported.

#### Design / Impact on street scene:

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 SPL3 reflects these considerations.

In terms of design, the extension is single storey with flat roof and largely hidden at the back except for the side extension which is well set back from the front. The materials are smooth render (warm neutral colour shown on plans) with uPVC windows and doors and grey fibreglass flat roof over the single storey extension. The roof tiles of the original house will be replaced by Redland tiles. Overall, the massing, scale, position and materials of the extension largely are considered to have no significant impact on the streets scene and is furthermore considered to enhance the appearance of the existing vacant property.

#### Impact on amenity of neighbouring properties:

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 existing property boundary treatment on both sides of the property is well established (1.8m high wooden fencing and shrubbery/hedging). Taking this into account along with the low level height of the side/rear extension, the proposal is considered to have no adverse impact on the amenities at either neighbouring properties (Nos 48 and 44).

It should be noted there is an existing outbuilding close to the western boundary and the proposed side/extension is similar in height and impact.

There is one small side window at No. 48 which is obscure glazed, suggesting it is not from a principal room. Therefore there would be no adverse impact on light or outlook to No. 48.

Regarding privacy, there are no concerns: there is one obscure glazed toilet window on the eastern elevation and one bedroom window on the western elevation which is sufficiently screened from neighbouring property by the boundary fence.

It should also be noted that there have been no objections from neighbouring properties.

#### Parking and highway safety:

The property has a driveway at the front with separate in/out access. The proposed side extension would result in the loss of one parking space to the side of the property. The number of parking spaces available off site within the driveway is therefore assessed to be three plus vehicles (see Highways comments).

Essex County Parking standards require 1 space per 3 beds and 1 space per full-time staff. No information has been provided on number of full-time staff per shift, however it is stated in the supporting statement that staff will be living close by and within walking distance. This is recognised in the comments of the Highways Authority who hold no objections to the parking provision/highway safety.

On balance, taking into account that the proposal results in only one additional bedroom, together with the sustainable location, and the fact there are no objections from the Highways Authority, it is considered the limited off-site parking would not be sufficient reason to warrant refusal or amendment to the scheme in this case.

## Conclusion:

The proposed extension is assessed to have no adverse impact on amenities of immediate neighbouring properties and no significant impact on the street scene. The level of parking proposed, though limited at minimum of 3 spaces, is nonetheless considered sufficient given the sustainable location of the site and small increase in size of 1 additional bedroom. Therefore 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:

01, received 19th December 2019 ;.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 The proposed window on the western side of the proposed side/rear extension should be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason: In the interests of amenities of neighbouring properties in accordance with Policy QL11 of the adopted Tendring District Local Plan 2007.

## 8. Informatives

### INFORMATIVE 1: 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.

### INFORMATIVE 2:

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653 The Crescent,  
Colchester  
CO4 9YQ

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