

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	25/03/2020
Planning Development Manager authorisation:	TF	30/03/2020
Admin checks / despatch completed	SB	30/03/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	30/03/2020

Application: 20/00149/FUL **Town / Parish:** St Osyth Parish Council

Applicant: Mr Stride

Address: 361 Point Clear Road St Osyth Clacton On Sea

Development: Proposed removal of the existing pitch roof, construction of a new pitch roof to allow first floor accommodation. Erection of new entrance lobby.

1. Town / Parish Council

No comments received

2. Consultation Responses

n/a

3. Planning History

93/01256/FUL	Proposed new retaining wall to foreshore	Approved	26.04.1994
20/00149/FUL	Proposed removal of the existing pitch roof, construction of a new pitch roof to allow first floor accommodation. Erection of new entrance lobby.	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
HG9 Private Amenity Space
HG14 Side Isolation
EN3 Coastal Protection Belt

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design
PPL2 Coastal Protection Belt

Local Planning Guidance
Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 permission for a new pitched roof with raised ridge height to allow for first floor accommodation, a balcony and an entrance lobby to a detached bungalow located within the settlement development boundary of Point Clear, St Osyth and which also lies within the Coastal Protection Belt.

Design and Appearance

The footprint of the existing bungalow is being maintained albeit with the minor addition of a covered entrance. The ridge height will increase by 2.6 metres and the eaves will increase by 0.6 metres ensuring the eaves stay low level and in proportion to the neighbouring bungalow of 359 Point Clear Road. The application site sits on ground that is lower than the bungalow at number 359 and therefore the increased height of the roof will not overbear the neighbouring bungalow.

The application site is at the north western end of Point Clear Road and has an unusual relationship with the surrounding dwellings in that number 361 is the last property to follow the linear pattern along Point Clear Road. 363 Point Clear Road is a two storey red brick house set much further forward on its plot, in a northern position compared to the dwelling at number 361. While the single storey property of 1 Seaview Terrace lies north west of number 361 with further single storey smaller properties in the same direction. The alterations at number 361 will see the outer walls vertically clad with a composite material, a metal standing seam roof will replace the original tiles and a glass balustrade will surround the balcony making for a contemporary design and use of modern materials. The mix of building types and use of materials ensures that although the renovation of the property will make it a feature in the street scene it will not look out of place with the array of properties in the immediate area.

Coastal Protection Belt

Saved Policy EN3 of the Tendring District Local Plan 2007 confirms that the purpose of the Coastal Protection Belt is to protect the unique and irreplaceable character of the Essex coastline from inappropriate forms of development. Draft Policy PPL2 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) goes on to say that the undeveloped coast of

Tendring District has an important role in terms of quality of life for residents and visitors, not only in terms of visual amenity but in terms of access to the natural environment. The proposal will not have a substantial impact on the Coastal Protection Belt as the alterations to the existing bungalow are taking place in an already built up residential area ensuring the protection of coastal views to the rear of the property and open character of the local landscape.

Impact upon Residential Amenity

Due to the orientation and position of the existing dwelling in relation to the neighbouring properties there will be no material adverse impact to loss of privacy, loss of light or outlook to the properties of 363 Point Clear Road and 1 Seaview Terrace. The first floor rear balcony will be screened to a height of 1.8 metres on the north western side to prevent overlooking.

Due to its close proximity to the south eastern boundary the proposal has the potential to result in loss of light to the property of 359 Point Clear Road and therefore the calculations specified within the Essex Design Guide have been applied. The 45 degree line in elevation would partially intercept the side window at number 359, although in plan the 45 degree line would not intercept the rear patio doors or the side window of number 359. It is therefore considered that the loss of light is not so significant to justify refusing planning permission on these grounds. The intercepted side window is a secondary window facing north west. Number 359 also occupies higher ground to the south east of the application site ensuring it is not significantly affected by the proposal.

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. In this case there is a distance of 1.7 metres to the south eastern side boundary shared with 359 Point Clear Road, a distance of 3.8 metres to the northern side boundary shared with 363 Point Clear Road and a distance of 4.8 metres has been maintained between the north western boundary shared with 1 Seaview Terrace.

There is no change to the off road parking provision. The existing single garage does not meet the standards whereby a single garage should internally measure 7 metres x 3 metres however the existing driveway leading up to the garage will provide sufficient off road car parking for at least two cars parking in tandem that meets the car parking standards where one space measures 2.9 metres x 5.5 metres.

The private amenity space to the rear and front of the property is not affected by the proposal.

Other Considerations

No letters of representation have been received.

Conclusion

In the absence of any 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 plans: Drawing Numbers 385SR-100 Rev A, 385SR-110, 385SR-111, 385SR-112, 385SR-130 Rev A, 385SR-131 Rev B and 385SR-132 Rev 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.

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