

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	26/05/2020
Planning Development Manager authorisation:	SCE	26.05.2020
Admin checks / despatch completed	CC	26.05.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	26.05.2020

Application: 20/00446/FUL **Town / Parish:** Little Clacton Parish Council

Applicant: Jason White

Address: 182 Harwich Road Little Clacton Clacton On Sea

Development: Proposed single storey rear extension to kitchen.

1. Town / Parish Council

Little Clacton Parish Council No comments received

2. Consultation Responses

Not applicable

3. Planning History

02/02082/FUL	Two storey extension to provide dining and bedroom space	Approved	07.01.2003
20/00446/FUL	Proposed single storey rear extension to kitchen.	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

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks permission for the erection of single storey rear extension to the kitchen.

Application Site

The site is located to the south of Harwich Road, within the development boundary of Little Clacton. The site serves a two storey semi-detached dwelling constructed from brickwork with a pitched tiled roof.

Assessment

Design and Appearance

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 SP1 reflects these considerations.

The proposed rear extension will measure approximately 1.8 metres deep by 1.9 metres wide and will have a maximum height of 3.07 metres. The proposal is considered to be of a minor scale appropriate to that of the existing dwelling. The site can accommodate for a proposal of this size and scale whilst retaining adequate private amenity space.

The proposal is to be located to the rear of the dwelling and will not be visible from the streetscene. The proposed rear extension is to be constructed from materials to match those of the existing dwelling, the exterior walls will be of brickwork, the roof will have matching tiles and the windows and doors will be of matching white UPVC. The proposal is considered to be of a design appropriate to that of the existing dwelling and surrounding area and will not have any adverse effects on the visual amenities of the area.

Impact to Neighbouring Amenities

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 proposed rear extension is to be built approximately 0.1 metres from the shared boundary line east of the property. The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the extension roof would catch the bottom corner of 184 Harwich Road in elevation, although the 45 degree line would intercept this window the loss of light that the proposal will cause is not considered to be significant enough as to justify refusing planning permission.

The proposal is of a single storey nature and so will not have a significant effect on overlooking the adjacent neighbouring sites of the application site.

The proposal is therefore deemed to have no significant impact on loss of privacy nor daylight nor cause any other harm to the amenities of the adjacent neighbours.

Highway issues

The proposal neither generates an additional need for parking nor decreases the existing parking provision at the site.

Other Considerations

Little Clacton Parish Council have made no comments on the proposal.

One letter of objection has been received regarding the proposal, the letter raised concerns over a loss of light to their property, as discussed above the proposal is not deemed to have a significant impact on the loss of light to the adjacent neighbouring properties. This letter also raised concerns over the shared drainage system between the application site and neighbouring dwelling to the east of the site. Plans have since been submitted showing details of this drainage system, the proposed extension will be constructed adjacent to the gully and set back from the boundary line, the application site dwelling is repositioning the existing kitchen sink as a result of this proposal and therefore will not need any use of this existing gully. The shared manhole will not be touched or altered in any way. The letter also raises concerns over the fencing along the boundary line, no access is required from the neighbouring property as the brickwork is to be done overhand and therefore the fencing will not be tampered with. This letter also raises concerns over the foul sewer connection, it has been stated that the new toilet will be connected to the soil pipe from the bathroom originally located at the front of the dwelling.

The information submitted with the application demonstrates that adequate drainage can be provided without causing any harm to the shared drainage system with the neighbouring dwelling, the exact drainage details are a matter to be considered under Building Regulations. Although this information does seem to show that there will not be any need to alter the shared drainage system, any damage to the neighbouring property is a civil matter and not a material planning consideration.

No other letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Approval

- 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 Number 0262PL/01

Drawing Number 0262/PL/02

Drawing Number 0262/PL/03

Documnet tites 182 Harwich Road, LT. Clacton showing details of the shared drainage system.

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