

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	11/08/2020
Planning Development Manager authorisation:	GN	11/08/20
Admin checks / despatch completed	CC	11/08/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	11/08/2020

Application: 20/00852/HHPNOT **Town / Parish:** Clacton Non Parished

Applicant: Dorne Kanareck

Address: 6 Fernwood Avenue Holland On Sea Clacton On Sea

Development: Erection of a flat roof single storey extension, 8 m deep and 2.6 m high.

1. Town / Parish Council

Not Applicable – Clacton
Non Parished

2. Consultation Responses

Not Applicable

3. Planning History

18/00807/FUL	Erection of 2 no. 2 bedroom semi-detached purpose built disabled bungalows - shared driveway with available turning points.	Refused	16.07.2018
20/00852/HHPNO T	Erection of a flat roof single storey extension, 8 m deep and 2.6 m high.	Current	

4. Relevant Policies / Government Guidance

Not Applicable

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities 'Garden Communities' proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector's advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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)

A prior notification has been received by Tendring District Council in relation to the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A for a proposed flat roof single storey rear extension measuring 8m deep and 2.6 metres high at 6 Fernwood Avenue Holland On Sea Clacton On Sea Essex CO15 5QD

Representations

One letter of objection has been received from a neighbouring property raising concerns over the size and scale of the proposal, and any impact this will have on noise pollution.

Assessment

As a result of the objection the impact of the proposed development on the amenities of all adjoining premises must be assessed; not just the amenity of those who submitted objections to the proposal.

The proposed extension will be located to the rear of the property. It will measure 8 metres deep by 9 metres wide and have an overall height of 2.6 metres.

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. Calculations set out within the Essex Design Guide have been applied and it is deemed that the proposal will not have a significant impact on the loss of light to the adjacent neighbouring properties.

The proposal is not deemed to have any significant impact on the loss of privacy not daylight nor cause any other harm to the amenities of the adjacent neighbours.

The letter of objection received raised concerns over the size and scale of the proposal and the fact that any social event that may take place following the erection of the proposed extension will be within a smaller garden space and will cause more noise than normal. This application is a prior notification application and not a full planning application, therefore the Council can only assess the impact that the proposed extension has on the amenities of adjoining premises; therefore the concerns raised are not issues which can be taken into account as part of this application.

It is considered that the proposed development is consistent with the above mentioned Order and is classed as permitted development.

6. Recommendation

HHPN - Prior Approval Not Required

7. Conditions / Reasons

- 1 Document Titled '6 Fernwood Avenue, Holland-On-Sea, Clacton-On-Sea, CO15 QD' showing the proposed block plan, and the written description of the proposed development.

8. Informatives

Not Applicable

<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>