

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	16/10/2020
Planning Development Manager authorisation:	SCE	20.10.2020
Admin checks / despatch completed	CC	20.10.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	20.10.2020

**Application:** 20/01118/FUL                      **Town / Parish:** Little Clacton Parish Council  
**Applicant:** Mr and Mrs Jack Brown  
**Address:** Acorns Thorrington Road Little Clacton  
**Development:** Single storey side extension.

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

Little Clacton Parish       Supports Application  
Council  
05.10.2020

### **2. Consultation Responses**

Not Applicable

### **3. Planning History**

13/00729/OUT	Proposed residential development.	Refused	28.08.2013
13/01018/OUT	Proposed residential development.	Approved	04.11.2013
14/00823/DETAIL	Erection of 8 no dwellings with associated garage/outbuilding and associated works.	Approved	11.08.2014
14/01240/DISCON	Discharge of conditions 04 (materials), 11 (method statement) and 13 (landscaping) of planning permission 13/01018/FUL.	Approved	29.09.2014
20/01118/FUL	Single storey side extension.	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

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Proposal

This application seeks permission for the erection of a single storey side extension.

### Application Site

The site is located to the north of Torrington Road, outside of the settlement development boundaries. The site serves a detached brick-built two storey dwelling with a pitched 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 side extension is of a single storey nature and will be located to the west of the site. There is currently a detached garage located to the west, the proposal will extend down to and include this garage changing its use to a utility room and study room. The proposed side extension will measure 11.16 metres deep by 3.2 metres wide with an overall height of 2.6 metres. The proposed side extension is considered to be of a size and scale in keeping with the existing dwelling. The application site can accommodate for a proposal of this size and scale whilst retaining adequate private amenity space.

The proposal will be finished in materials to match those of the existing dwelling, the exterior walls will be of a matching brickwork, and the windows and doors will be white UPVC. The proposed extension will be built with a flat roof design which does contradict that of the existing dwelling and will be visible to the streetscene from the front elevation. However, other flat roof designs can be seen within the surrounding streetscene and it is therefore not considered to have a significant adverse effect on the visual amenities of the area. Overall the proposed side extension is deemed to be of a design in keeping with the existing dwelling and surrounding area and will not have a harmful impact on visual amenity.

The site is situated outside the housing settlement limits, however as the proposal will be in keeping with the existing character of the dwelling and will not harm the character of the surrounding area the proposal meets policy HG12 of the Adopted Local Plan 2007.

### 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 side extension will be constructed along the western boundary of the property. Due to its positioning on the site being located further back than the neighbouring dwelling to the west, it is not considered to have a significant impact on the loss of light to this property. The rear of the extension is located in the same place as the existing garage and will not have any more of a significant impact or harm to the amenities of the adjacent neighbours.

The proposal is of a single storey nature, therefore reducing its impact of overlooking onto the adjacent properties, it is therefore not thought to have any significant impact on the loss of privacy to the adjacent neighbours.

The proposed side extension is therefore not considered to have any significant effect to the loss of light or privacy, nor to cause any other harm to the amenities of the adjacent neighbours.

### Highway issues

The proposal will result in the loss of an existing parking space as the existing garage is to be converted into habitable space, however the plans provided show there is adequate space located to the front of the site to accommodate for the loss of this parking space.

### Other Considerations

Little Clacton Parish Council support this application.

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 plan; Drawing No. PP-01

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.

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