

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	03/11/2020
Planning Development Manager authorisation:	TC	03/11/2020
Admin checks / despatch completed	CC	04.11.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	04/11/2020

**Application:** 20/01160/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Clare Browne

**Address:** 34 Eastcliff Avenue Clacton On Sea Essex

**Development:** Single storey rear extension, two storey side extension, infill to front to form a porch and render to building.

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

n/a

### **2. Consultation Responses**

n/a

### **3. Planning History**

20/01160/FUL	Single storey rear extension, two storey side extension, infill to front to form a porch and render to building.	Current
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### **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

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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Proposal

The application seeks permission for a two storey side extension, single storey rear and single storey front to a detached house located within the development boundary of Clacton on Sea.

### Design and Appearance

The existing dwelling is an individual detached house constructed in the 1960’s of yellow brick and concrete roof tiles with more recent UPVC cladding. The proposal at 34 Eastcliff Avenue will alter the appearance of the house as it is today but not so significantly to impact the character of the dwelling or immediate area. The two storey side extension will be built on the south eastern side increasing the overall width of the house by 4 metres. It will be set back from the original front elevation by 1.59 metres with a mono pitch front single storey extension in filling the setback area. The roof of the two storey side extension will be pitched, hold the same eaves height, although a slightly lower ridge than the existing dwelling will create a subservient appearance. A single storey rear extension will span the width of the extended house and will incorporate four roof lights in the sloping roof, with two sets of bi-folding doors leading to the rear garden.

The remodelling of the house will modernise its look in the street scene and although the neighbouring detached properties are of differing styles the rendered finish will assimilate the property and improve its appearance in the street scene where in the main the properties are finished in red brick and render. As well as render, the house will be finished externally with matching roof tiles, windows and doors.

The design and scale of the extension would result in no material harm to visual amenity.

### Impact upon Residential Amenity

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 metre to the south eastern side boundary shared with 36 Eastcliff Avenue and a distance of 3.4 metres has been maintained between the north western side boundary shared with 32 Eastcliff Avenue.

Due to the potential of the two storey side extension to result in loss of light to the property of 36 Eastcliff Avenue the calculations specified within the Essex Design Guide have been applied. The 45 degree line in plan would intercept the side windows at 36 Eastcliff Avenue however due to the forward position of number 34, the 45 degree line would not intercept any side windows in elevation ensuring there is no significant loss of light to this neighbour.

No additional rear or side facing windows have been added to the proposal ensuring there will be no increased overlooking or intrusion of privacy to any neighbouring properties.

Although the application site lies south of the property at 32 Eastcliff Avenue it is considered the distance which separates the properties is sufficient to avoid any significant impact to this neighbour in terms of loss of light, privacy or overlooking.

At least 200 square metres of private amenity space will remain following the construction of the proposal which is considered more than adequate. The existing off road parking arrangements will not be affected and allow at least two cars to park off the road in spaces that meet the car parking standards where one space measures 5.5 metres x 2.9 metres.

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 plan: DWG NO. P01a.

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