

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	05/01/2021
Planning Development Manager authorisation:	TC	05/01/2021
Admin checks / despatch completed	DB	07/01/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	07.01.2021

Application: 20/01552/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr and Mrs Brand

Address: 43 Bedford Road Holland On Sea Clacton On Sea

Development: Single storey rear extension and front porch.

1. Town / Parish Council

n/a

2. Consultation Responses

n/a

3. Planning History

12/01287/FUL	Rear extension, internal alterations to form two bedrooms and WC in loft space and replacement garage.	Approved	10.01.2013
19/01783/FUL	Proposed alterations and extensions.	Approved	04.02.2020
20/01552/FUL	Single storey rear extension and front porch.	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

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

Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council is now making arrangements to formally adopt Section 1 of the Local Plan in its modified state and this is expected to be confirmed at the meeting of Full Council on 26th January 2021 – at which point will become part of the development plan and will carry full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan. In the interim, the modified policies in the Section 1 Local Plan, including the confirmed housing requirement, can be given significant weight in decision making owing to their advancement through the final stages of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) is now expected to proceed in 2021 and two Inspectors have already been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

5. Officer Appraisal

Proposal

This application seeks planning permission for a single storey rear extension following demolition of the existing garage, a new front porch and side facing roof light to a detached bungalow located within the settlement development boundary of Clacton on Sea.

A roof light on the rear roof slope will also be inserted, along with a side facing obscure glazed window on the north eastern side elevation however these both meet the criteria of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1 Classes A and C and are therefore considered as permitted development.

Design and Appearance

The proposed extension is to the rear and will only be partially publicly visible. The flat roof extension is a maximum of 3.09 metres and includes a central roof lantern. The front porch is slightly larger than the existing and maintains the central entrance and symmetry of the existing bungalow. Externally the extension and the porch will be finished in brickwork and render that matches the existing bungalow. Windows and doors will be UPVC and will also match while the bi-folding doors will be aluminium framed. The roof light on the north eastern side roof slope will be visible however by way of its set back from the front of the bungalow and small size is not visually intrusive.

The development is therefore considered acceptable in terms of visual impact and meets the requirements of good design, appearance and scale.

Impact upon Residential Amenity

The single storey rear extension and the front porch will not have a significant impact on the amenities of the neighbouring properties given their low level single storey nature.

The side facing roof light offers light into the ground floor bathroom which as a result is more than 1.7 metres above finished floor level and will not cause any overlooking.

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 100 square metres of private amenity space for a property with three or more bedrooms. Over 200 square metres of private amenity space will remain following the construction of the proposal which is considered more than adequate.

Two car parking spaces which comply with the Essex County Council Car Parking Standards are required for a three bedroom property. The existing garage did not meet the Essex Car Parking Standards where the internal dimensions of a single garage should measure 7 metres x 3 metres. There is access to a driveway in front of the garage which also fails to meet the current parking standards where one space should measure 5.5 metres x 2.9 metres however the off road car parking provision remains unchanged as does the number of bedrooms in the property. Taking into account the unclassified nature of Bedford Road, the grass verge and wide footpaths in front of dwellings it is considered that on balance the undersized car parking space is acceptable in this case and the harm caused is not so significant as to justify refusal of the planning application.

Other Considerations

No letters of representation have been received.

Conclusion

In the absence of 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: Drawing No. CBR-01 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 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