

DELEGATED DECISION OFFICER REPORT

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Application: 20/01703/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr J Cantrell

Address: 50 Skelmersdale Road Clacton On Sea Essex

Development: Proposed single storey rear extension.

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

Not applicable

3. Planning History

20/01703/FUL Proposed single storey rear 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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site comprises of a detached dwelling with adjacent garage. Positioned along the front boundary is an existing boundary wall and driveway with vehicular access. Sited along the neighbouring boundaries to the rear is existing fencing.

Proposal

This application seeks permission for a proposed single storey rear extension.

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 proposal will be sited to the rear however due to the open space between dwellings within the streetscene elements of the proposal will be publicly visible. Whilst some parts of the proposal will be visible the enlargement will be set back sufficiently from the front of the site and partially screened by the host dwelling meaning any views will be minor and will not have a harmful impact to the overall appearance of the existing house and streetscene.

The proposal is of a suitable size and scale in relation to the main dwelling and will appear as a subservient addition to the main house.

The existing house has been constructed from brick and the proposal will be finished in a beige/sandy render. Whilst this material is not consistent with the existing house as the proposal will be sited to the rear with only minimal views achieved from Skelmersdale Avenue it is considered the use of such would not appear harmful to the appearance of the existing dwelling. It is also noted that within the area there are many houses varying in design and materials and therefore the use of render is not thought to be out of keeping with the character of the existing area.

Sited to the rear is the sites existing garden which is of a large enough size to accommodate the proposal and still retain sufficient private amenity space.

Impact on Neighbours

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).

Sited to the east is 52 Skelmersdale Road. The proposal will be sited off of this neighbouring boundary by approximately 9.7m. As a result of its single storey design and sufficient distance away from this neighbour, the proposed extension would not result in a loss of light or outlook to this neighbour. The introduction of patio doors along the side elevation facing this neighbour could potentially result in some loss of privacy however as a result of the extensions distance away from the boundary together with screening by way of the existing boundary fencing and the proposals single storey design any loss of privacy will be minimal and would not be so significant to refuse planning permission upon.

Sited to the west is 48 Skelmersdale Road which is set further forward on its plot compared to the application dwelling. The plans show that there will be no windows in situ along this side elevation and therefore the new extension would not result in a loss of privacy to this neighbour. This neighbour is already set forward on its plot with the application dwelling reducing the level of light and outlook which is received by this neighbour. It is likely that the proposal will reduce this further however as a result of these two dwellings positioning on their plots along with screening by way of existing fencing it is considered that the level of light and outlook lost to this neighbour would not be so significant to warrant refusal of this planning application. Furthermore the sunlight/ Daylight calculations specified within the Essex Design Guide have been applied and whilst the 45 degree line in plan would encompass rear openings of this neighbour the 45 degree line in elevation would not even touch this neighbours house, therefore providing further confirmation that the loss of light in this instance would not be so significant.

The site also shares a boundary with 18 Russell Road which has an outbuilding sited along its rear boundary. The proposal will not be visible to this neighbour as it will be screened by this existing outbuilding. The proposal will be in close proximity to this neighbours outbuilding which is used as a gym however as there are no windows situated in this outbuildings elevation facing the proposal it would not result in a loss of residential amenities to this building.

Other Considerations

Clacton is non parished and therefore no comments of this nature will be required. No letters of representation have been received.

Conclusion

It is therefore concluded that the proposal satisfies the requirements of the aforementioned national and local policies and in the absence of material harm resulting from the proposed 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: 02.

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.