

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	20.01.2021
Planning Development Manager authorisation:	TF	22/01/2021
Admin checks / despatch completed	DB	22/01/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	22/01/2021

Application: 20/01627/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr and Mrs R Talbot

Address: 57 Southcliff Park Clacton On Sea Essex

Development: Proposed front, side and rear extensions.

1. Town / Parish Council

Clacton Non-Parished No Comments Required

2. Consultation Responses

TDC Tree & Landscape Officer
09.12.2020 The application site is affected by Tendring District Council Tree Preservation Order 97/20/TPO which affords formal legal protection to a large Horse Chestnut at the rear of the property.

The development proposal does not compromise the integrity of the protected tree. No trees or other significant vegetation will be affected by the development proposal.

There appears to be little opportunity or benefit to be gained by new soft landscaping associated with the development proposal.

3. Planning History

20/01627/FUL Proposed front, side and rear extensions. 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)

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks permission for the erection of front, side and rear extensions.

Application Site

The site is located to the north of Southcliff Park, within the development boundary of Clacton on Sea. The site serves a detached 1.5 storey dwelling finished in red brick and white painted render with a tiled roof. There is a detached garage north of the site, set back from the dwelling.

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 front and side extensions will wrap around the dwelling in an 'L' like shape, and are located towards the east of the site. It will measure 3.5 metres wide to the front of the site by 8.3 metres deep and 0.9 metres wide to the rear, with an overall height of 7 metres.

The rear extension will have a maximum depth of 9.9 metres, a width of 7.9 metres, and an overall height of 4.3 metres.

The proposed development is considered to be of a size and scale in keeping with the existing dwelling and surrounding area. The application site can accommodate for a proposal of this size and scale whilst retaining adequate private amenity space.

The proposal will also be of a design and appearance in keeping with the existing dwelling. The exterior walls will be finished in a matching red brick and white painted render, the roof will be pitched and finished in matching clay peg tile.

The proposed development will be visible to the street scene, however, due to the use of matching materials it is not considered to have any significant harmful impact on visual amenity.

A new roof dormer is also proposed to the front of the dwelling and will be of the same size and scale of the existing front roof dormer. The proposed dormer is considered to be in keeping with the design of the original dwelling and surrounding area and will have no harmful effect on visual amenities.

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 rear extension is of a single storey nature and poses no significant threat of overlooking, nor loss of privacy to the adjacent neighbours.

The proposal will introduce one new dormer window on first floor level at the front of the dwelling, and one on first floor level at the side of the dwelling. The proposed new side window will however be replacing the existing side dormer and will therefore not be providing the dwelling with new views and will not have any more of an impact on loss of privacy than is already present. The proposed new front dormer will provide the dwelling with additional views looking out onto the streetscene, however as the dwelling already has views looking onto the streetscene this loss of privacy is not considered significant.

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. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the extension roof would not catch the adjacent neighbouring properties in both plan and elevation and therefore the proposal is not considered to have any significant impact on the loss of light to the adjacent neighbours.

Highway issues

The Proposal neither generates an additional need for parking, nor decreases the existing parking provisions at the site.

Other Considerations

A consultee comments was sought from the Council's Tree and Landscape Officer as the application site is affected by Tendring District Council Tree Preservation Order 97/20/TPO which affords formal legal protection to a large horse Chestnut at the rear of the property. It was decided that the proposal does not compromise the integrity of the protected tree. No trees or other significant vegetation will be affected by the development proposal. There appears to be little opportunity or benefit to be gained by new soft landscaping associated with the development proposal.

Clacton is non-parished and therefore no comments are required.

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 Refusal

- 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 plans;

Drawing No. RT/008 V2
Drawing No. RT/007 V2
Drawing No. Rt/005
Drawing No. RT/002

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