

## DELEGATED DECISION OFFICER REPORT

| AUTHORISATION   | INITIALS | DATE       |
|---|----------|------------|
| File completed and officer recommendation:                  | ER       | 29/01/2021 |
| Planning Development Manager authorisation:                 | SCE      | 04.02.2021 |
| Admin checks / despatch completed                           | DB       | 04.02.2021 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | ER       | 04.02.2021 |

**Application:** 20/01750/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr and Mrs Thomas

**Address:** 75 York Road Holland On Sea Clacton On Sea

**Development:** Proposed single storey rear extension with glazed roof lanterns (following demolition of conservatory and sheds).

**1. Town / Parish Council**

Clacton non parished

**2. Consultation Responses**

Not applicable

**3. Planning History**

|                     |   |                             |            |
|---------------------|---|-----------------------------|------------|
| 18/00051/HHPNO<br>T | Proposed single storey rear extension 4 metres high and 8 metres deep.  | Prior Approval Not Required | 12.02.2018 |
| 20/01750/FUL        | Proposed single storey rear extension with glazed roof lanterns (following demolition of conservatory and sheds). | 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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 10<sup>th</sup> 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 26<sup>th</sup> 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 two storey detached dwelling with driveway to the front along with vehicular access. Sited to the rear is an existing conservatory and an outbuilding and along each neighbouring boundary is existing fencing.

### Proposal

This application seeks permission for proposed single storey rear extension with glazed roof lanterns (following demolition of conservatory and sheds).

### Assessment

#### Design and Appearance

The proposal will be sited to the predominantly to the rear of the existing house. Any views of the proposal will be minimal and will not result in a harmful impact to the streetscene or appearance of the existing dwelling.

The proposal is of a size which is appropriate to the existing house and will be finished in materials which match the host dwelling.

It is noted that the proposal has a sizeable depth however as much of the proposal will be screened from view within the streetscene this would not result in a harmful impact to the dwellings overall appearance.

The site is of a large enough size to support the proposal and still retain sufficient private amenity space.

### Impact on Neighbours

As there are no windows positioned along its side elevation and due to its single storey design the proposal would not result in a loss of privacy to the neighbouring sites.

The proposal will not result in a loss of light to the neighbour to the south but will be visible over the existing fencing. The proposed extensions single storey flat roof design and positioning off of the boundary by approximately 1.3m would prevent the extension from resulting in a significant loss of outlook to this neighbour.

The proposal will result in a loss of light and outlook to the neighbour to the north and therefore the sunlight/ daylight calculations have been applied to the plans. The 45 degree line in plan would encompass the neighbours openings where as in elevation however in elevation it would not. It is also noted that this neighbouring site is set off of the boundary shared with the host dwelling and that the proposal will be set approximately 1.7m off of this boundary. It is therefore concluded that any loss of light or outlook to the neighbouring properties would not be so significant to refuse planning permission upon.

It is noted that the neighbouring dwellings both have openings sited along their side elevations which will be affected by the proposal in terms of loss of light and outlook however due to their current positioning facing onto the host dwelling any light and outlook received by these windows is already reduced. The loss of light and outlook to these windows would therefore not be so significant to refuse planning permission upon.

Furthermore regard must also be had to permitted development which in the absence of objections could be considered under the Householder Prior Notification Scheme.

### Other Considerations

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

### Conclusion

In the absence of material harm resulting from the proposal 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: 01A and email dated 8th January 2021 confirming materials proposed.

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.