

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DA	03.02.21
Planning Development Manager authorisation:	TC	03/02/2021
Admin checks / despatch completed	CC	08.02.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	DB	08.02.2021

Application: 20/00832/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr S Duffy

Address: 24 Medway Jaywick Clacton On Sea

Development: Proposed lounge and first floor extension to form new living space.

1. Town / Parish Council

None

2. Consultation Responses

None

3. Planning History

20/00832/FUL Proposed lounge and first floor extension to form new living space. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Policy Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL11 Environmental Impacts and Compatibility of Uses

HG9 Private Amenity Space

TR7 Vehicle Parking at New Development

CL15A Jaywick Regeneration

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application property is a detached two-bedroomed bungalow on the northern side of Midway. The main roof to the bungalow has a front gable and there is a front bay also with a front gable. The site includes a dropped kerb onto Midway and a drive available for parking. The application property is immediately to the east of a bungalow on the corner of Midway with Rover Avenue. The rear boundary of the application property is contiguous with a side boundary of 4 Rover Avenue. The application premises is set amongst bungalows of similar size, scale and character. The site is within the Development Boundary of the western part of Jaywick.

The area includes an elongated strip of land forming public open space of grass with a scattering of trees. The open space runs parallel with the southern side of Midway.

Proposal

Planning permission is sought for the extension of the property to create additional lounge space and first floor extension to form further habitable living space.

There are essentially two elements to the proposal; a front extension and the creation of a new roof form. The new roof would accommodate two bedrooms. One bedroom would be retained on the ground floor to create a three-bedroomed property.

The front extension as amended would be 3.7m in depth relative to the existing forward most part of the built form and be the full width of the bungalow, some 5.2m.

Appraisal

Policy QL9 states that all new development should make a positive contribution to the quality of the local environment and protect or enhance local character.

The application property is one of four bungalows set between Rover Avenue and Singer Avenue. Two of the bungalows have front gable windows but there is general uniformity to ridge height which gives a coherence to the street scene. The proposal would not significantly increase the ridge height or increase the bulk of the roof. It is considered that the proposal would maintain local character and distinctiveness as such would be consistent to criterion (i) of Policy QL9.

Design and appearance

Policies QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seek to ensure that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The area includes a number of dwellings that are arranged in staggered formation and that are generally similar in general appearance with some variations resulting from extensions including front additions.

The proposed front extension has been amended by a reduction in depth by 1m and a more consistent design in the roof of the addition which would now follow the slope of the existing roof and would appear both complimentary and subordinate with appropriate proportion and scale.

The proposed extension would include materials to match that of the host building and its appearance would be in keeping with the character of the host property and would protect the character of the area and as such the extension would comply with the aforementioned policies.

Impact on amenity

Policy QL11 is concerned, broadly speaking with, adverse impact on the residential amenity of occupiers of neighbouring properties. Development will only be permitted if a number of

criteria are met, one criterion being that the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

A new first floor rear window would be created but it would appear that this would largely look onto a side roof slope of 4 Rover Avenue. An outbuilding in this property gives screening to the rear garden. Given the density of built forms in the locality it would appear that no significant overlooking would result to neighbouring properties.

Neighbouring properties on Midway are orientated to the west or to the east and this, in conjunction with the existing proximity of built forms already shading each other's properties are such that it is considered that there would be no material loss of light. A rear garden depth of 5m is thought sufficient that the increase in height to the roof would not create any material loss of light to properties to the north. The proposal is considered acceptable with regard to Policy QL11.

With regard to the standard of accommodation the application property has a rear garden area of some 45 sq m. Policy HG9 states that houses with three bedrooms require a minimum of 100 sq m private amenity space. The proposal would not reduce the rear amenity area but would increase the extent of accommodation. However, this is an existing dwelling located with easy reach of public open space and as such it is not considered reasonable to with-hold planning permission on this basis.

Car Parking

The plans show that two car parking spaces, side by side, would be created. The site is at a reasonably sustainable location. The proposal is considered acceptable with regard to Policy TR7.

Conclusion

Policy QL9 seeks to ensure that all new development should make a positive contribution to the quality of the local environment and protect or enhance local character.

The proposed as amended would be more in keeping with the character of the host building and the street scene in general and as such would comply with Policies QL9 and CL15 of the adopted Local Plan and Policy SPL 3 of the emerging Local Plan.

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. PO2B
Drawing No. 1792-P01B

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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