

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	18.02.2021
Planning Development Manager authorisation:	SCE	18.02.2021
Admin checks / despatch completed	DB	18.02.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	18.02.2021

**Application:** 20/01837/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mr Quince

**Address:** 305 Frinton Road Holland On Sea Clacton On Sea

**Development:** Single storey side and rear extensions and new porch.

### 1. Town / Parish Council

Clacton Non-Parished      No Comments Required

### 2. Consultation Responses

Not Applicable

### 3. Planning History

20/01837/FUL      Single storey side and rear extensions and new 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

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

## **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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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. In this latter regard, as of 26<sup>th</sup> January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

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 has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26<sup>th</sup> January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have 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 single storey side and rear extensions and new porch.

### Application Site

The site is located to the north of Frinton Road, within the development boundary of Clacton on Sea. The site serves a two storey end of terraced dwelling finished in painted render, hanging tiles and brickwork with a pitched tiled roof.

### 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 proposed new porch will measure 1.65 metres deep by 5 metres wide and have an overall height of 3.4 metres. The existing painted render will be replaced with weatherboarding, and the exterior walls of the proposed porch will be finished in a matching weatherboarding, the roof will be pitched and finished in a matching tile, and the windows and doors will be of a matching UPVC. The porch is located to the front of the site and will be visible from the streetscene. The porch will be replacing the existing porch and is considered to be of a more in keeping and appropriate design, improving the site's impact on visual amenities.

The proposed side extension will be located to the east of the site. It will have an overall depth of 12.3 metres (including part of the porch and rear extension) with a maximum pitched roof height of 3.4 metres. The exterior walls will be finished in a matching weatherboarding and the pitched roof will be finished in a matching tile. Two roof lights will be located towards the rear of the side extension, these are set back from the highway and will not appear prominently within the streetscene. The proposed extension will be visible to the streetscene at the gap between the host dwelling and the neighbouring dwelling to the east. The side extension is considered to be of a design in keeping with the existing dwelling and surrounding area with no adverse effect on visual amenity.

The proposed rear extension will measure 3.2 metres deep by 6.95 metres wide with an overall flat roof height of 2.7 metres. The rear extension will also be finished in matching weatherboarding and the windows and doors will be of a matching UPVC. The roof is of a flat roof design but as it is located to the rear of the dwelling it will not be visible to the streetscene. The proposed rear extension is deemed to be of an in keeping design and appearance, with no adverse effects on visual amenity.

The proposed development is considered to be of a size and scale in keeping with the existing dwelling with the application site retaining plenty of private amenity space.

#### 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 proposal will be constructed along the shared neighbouring boundary line to the west of the site. Due to its close proximity to this neighbouring dwelling guidelines set out within the Essex Design Guide have been applied. The proposal will have no more effect on the loss of light to the adjacent neighbouring dwelling west of the site than what is already effected by the existing dwelling.

The neighbouring dwelling to the east of the site extends out further than the proposed development. The proposal will therefore have no significant effect on the loss of light to this neighbouring dwelling.

The proposed rear extension is of a single storey nature and therefore poses no significant threat of overlooking or loss of privacy.

The proposed side extension has two roof lights, however as the existing dwelling has windows along this elevation the site is not provided with any new additional views and the roof lights are not considered to have a significant effect on loss of privacy.

The proposed porch does not have any adverse effects on residential amenities.

### Highway issues

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

### Other Considerations

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 plan; Drawing No. P01

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be obscure-glazed, and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason - In the interests of residential amenity.

## **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.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	YES	NO
---	-----	----

<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	YES	NO