

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	26/02/2021
Planning Development Manager authorisation:	SCE	02.03.2021
Admin checks / despatch completed	ER	03/03/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	03.03.2021

Application: 20/01833/FUL **Town / Parish:** St Osyth Parish Council

Applicant: Mr and Mrs Scofield

Address: 7 Johnson Road St Osyth Clacton On Sea

Development: Proposed first floor rear extension.

1. Town / Parish Council

St Osyth Parish Council
19.02.2021 No objections.

2. Consultation Responses

Not Applicable

3. Planning History

20/01833/FUL Proposed first floor 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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 26th 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 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 has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th 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)

Application Site

The application site comprises of a two storey semi detached dwelling with adjacent garage and parking the front. The existing house is of a brick construction with a single storey rear extension finished in render. The rear of the dwelling faces Meadowview with existing fencing along its rear boundary.

Proposal

This application seeks permission for a proposed first floor rear extension.

The proposed roof element of the proposal has been amended to incorporate a hipped roof to prevent it from having a harmful impact within the Meadowview streetscene and allowing it to appear more appropriately when viewing the house from the rear.

Assessment

Design and Appearance

The proposal is of a size and scale which is appropriate to the existing house.

The proposed extension will be predominantly to the rear with some elements being publicly visible through the spaces between houses. Whilst there will be some views of the proposal from Johnson Road as a result of its set back these are likely to be minimal and will not infringe upon appearance and character of the existing house and streetscene.

The existing dwellings rear elevation is visible from the road to the rear of the site known as Meadowview. Sited along the rear boundaries of the host house and neighbouring dwellings is some screening by way of planting and fencing however these rear elevations do appear noticeably within this streetscene. As a result the proposal will be visible from Meadowview however due to its ample set back from this boundary and amended design it will not appear as an adverse feature to the existing house or within the streetscene. It is also noted that other two storey extensions are visible from Meadowview varying in design and size.

The existing house benefits from a rear extension currently finished in render and the proposal will be finished in render to match this element. Whilst the use of render is not consistent with the existing house as the proposal is not considered to have a significant harmful impact to the streetscenes the use of such is considered acceptable in this instance.

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

Impact on Neighbours

Sited to the east is 5 Johnson Road which adjoins the application site and has its own two storey rear extension. This proposal will match the depth of the neighbouring extension and would therefore not result in a loss of light or outlook to this adjacent dwelling.

Sited to the west is 9 Johnson Road which is set further back on its plot compared to the host dwelling. As a result of this neighbour's positioning on its plot the proposal would not protrude past the rear wall of this neighbour and would not result in a loss of light or outlook to any of the rear openings. There will be some loss of light and outlook to the openings currently in situ along this neighbour's side elevation however as these windows already receive little light and outlook due to facing the side wall of the application house any loss of light or privacy in this instance would not be so significant to refuse planning permission upon.

The proposal does include two rearward facing openings and one side facing opening which will serve an ensuite and will result in overlooking to the neighbouring sites however as these neighbouring gardens are already overlooked by the host and surrounding dwellings it is considered that there would not be a significant loss of privacy in this instance. Furthermore the side facing window will likely be obscure glazed due to it serving an ensuite however in order to safeguard residential amenities of 9 Johnson Road a condition will be placed upon the permission ensuring that it is remained as obscure glazed in perpetuity.

Other Considerations

St Osyth Parish Council have no objections to the proposal.
There have been no letters of representation received.

Conclusion

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: 7/JRS/1A.

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

- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the window to the first floor west elevation serving an ensuite shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

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.