

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	3 rd March 2021
Planning Development Manager authorisation:	SCE	05.03.2021
Admin checks / despatch completed	DB	05.03.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	05/03/2021

Application: 21/00136/FUL **Town / Parish:** St Osyth Parish Council
Applicant: Chris Bloyce
Address: 21 Johnson Road St Osyth Clacton On Sea
Development: Proposed single storey rear extension and porch. Alteration to planning approval 20/01136/FUL.

1. Town / Parish Council

Parish Clerk
St Osyth Parish Council No objections.
19.02.2021

2. Consultation Responses

None received

3. Planning History

14/00734/FUL	Construction of a single storey side and rear extension to provide garage and garden room accommodation.	Approved	22.07.2014
20/00767/FUL	Proposed two storey rear extension.	Refused	11.08.2020
20/01136/FUL	Proposed two storey rear extension (resubmission of 20/00767/FUL).	Approved	20.10.2020
21/00136/FUL	Proposed single storey rear extension and porch. Alteration to planning approval 20/01136/FUL.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application property is a two-bedroom semi-detached side gable roofed house on the southern side of Johnson Road within a residential area of St Osyth.

The house has a flat roofed garage attached to the side, a driveway and dropped kerb onto the highway.

The attached neighbour in the semi-detached pair is to the right-hand side when viewed from the road and then there is the entrance to a primary school.

Relevant History

Planning permission was gained in October 2020 for a two storey rear extension. This application seeks to make amendments to that permission.

Proposal

The application is for a single-storey rear extension instead of a two-storey rear extension and a new front porch.

The porch would replace the existing oversail roof – a common feature in post-war dwellings such as this. The porch would project 1.5m from the façade and be 3.3m wide, it would have a mono-pitch roof with eaves of just under 2.5m and a mono-ridge in the region of 3.5m.

The rear extension would infill the area between the south-west flank of the garage and the boundary, being around 7.6m wide and projecting 6m from the original rear wall; it would have a flat roof with a height in the region of 2.8m.

Principle

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

Design & Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. 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 proposal would not be seen in the streetscene and would in itself have an acceptable appearance, matching that of the existing house. Whilst the extension is relatively deep in terms of its rearwards projection, it is nonetheless of a scale similar to that which could be sought by way of a prior approval.

Impact to Neighbouring Amenities

The NPPF, at paragraph 127 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 other 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 application property has two neighbours; no. 23, the attached house to the west, and no. 19, to the east. The proposed built form would be isolated from no. 19 by the width of the existing flat roofed garage and side garden to no. 19. There would be no material adverse impact to the occupiers of no. 19. With regard to 23 Johnson Road, the attached neighbour, has been extended to the rear by an extension which is both single storey and two-storey (reference 05/00608/FUL). The proposed extension does not conflict with the 60o light angle guidelines, is single storey and contains no windows in its south-west flank. For these reasons the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

Highways

Paragraph 108 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. Saved Policy QL10 of the adopted Tendring District Local Plan 2007 states that planning permission will only be granted, if amongst other things, access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate. These objectives are supported by emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The proposal does not generate any additional need for parking and the addition of the porch does not diminish the existing adequate level of parking.

Contributions

No comments have been received in response to the publicity of the proposed development and St Osyth Parish Council has no objection to the application.

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:- 1775-P01b, received 3rd March 2021.

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

8. Informatives

Application Approved Without Amendment

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?		NO
Are there any third parties to be informed of the decision?		NO