

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	10/03/2021
Planning Development Manager authorisation:	TF	10/03/2021
Admin checks / despatch completed	ER	10/03/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	10.03.2021

Application: 21/00138/FUL **Town / Parish:** St Osyth Parish Council
Applicant: Mr and Mrs Dunn
Address: 107 Point Clear Road St Osyth Clacton On Sea
Development: Proposed first floor extension over existing ground floor, and conversion of internal garage into a habitable space.

1. Town / Parish Council

St Osyth Parish Council No objections.
19.02.2021

2. Consultation Responses

n/a

3. Planning History

20/30074/PREAPP Proposed extension above garage. 03.06.2020

21/00138/FUL Proposed first floor extension over existing ground floor, and conversion of internal garage into a habitable space. 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
HG14 Side Isolation
EN3 Coastal Protection Belt

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design
PPL2 Coastal Protection Belt

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks permission for a first floor side extension over the garage which will also be converted to living accommodation. The host dwelling is a detached house located within the settlement development boundary of Point Clear, St Osyth. The application site also lies within the Coastal Protection Belt.

Design and Appearance

The first floor proposal will extend over the existing attached garage on the western side of the dwelling. The first floor extension will create a bedroom and en-suite bathroom. The extension will follow the slope of the existing roof albeit set back from the front and slightly lower creating a subservient appearance. The use of matching roof tiles and UPVC windows and doors along with Marley eternit weatherboarding will modernise the existing house. The conversion of the existing garage will see the garage door replaced with a window and Marley eternit weatherboarding that matches the first floor extension tying these elements together.

There are a variety of house types and styles in the immediate area with evidence of extensions on these properties. The large plot sizes allow for modest size extensions that would not look out of place in the street scene. The properties along this part of the road are set well back from the highway, a distance of at least 16 metres which ensures that the proposal will not be prominent.

The design and scale of the extensions are acceptable and would result in no material harm to visual amenity.

Impact upon Residential Amenity

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4 metres in height, as in this case. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary. In this case a distance of 1 metre has been maintained between the western side boundary shared with 107A Point Clear Road.

There will be no significant impact in terms of loss of light, loss of privacy or outlook to the neighbour at 107A Point Clear Road due to the orientation of the dwellings where the rear elevations face south and are almost level. The first floor window rear facing window serves a bedroom and there are no side facing windows. There are no windows on the side elevation of number 107A. There will be no impact to the neighbour at 105 Point Clear Road on the eastern side of the application site.

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 100 square metres of private amenity space for a property with three or more bedrooms. More than 350 square metres of private amenity space will remain at 107 Point Clear Road following the construction of the proposal which is considered more than adequate.

The existing garage does not meet the car parking standards where a single garage should measure 7m x 3m and therefore the conversion of this is acceptable given there is enough space in front of the house that allows for at least two cars to park off the road and meets the current car parking standards where one space measures 5.5 metres x 2.9 metres.

Coastal Protection Belt

Saved Policy EN3 of the Tendring District Local Plan 2007 and Draft Policy PPL2 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) seeks to protect the unique and irreplaceable character of the Essex coastline from inappropriate forms of development as well as seeking to improve public access to and enjoyment of the coast in accordance with the National Planning Policy Framework.

The proposal will not have a substantial impact on the Coastal Protection Belt due to its position in an already residential area. The proposal does not constitute over development of the modest application site which is able to accommodate the extension.

Other Considerations

St Osyth Parish Council have no objection to the application.

No further letters of representation have been received.

Conclusion

In the absence of material harm resulting from the 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: Drawing No DPCR - 01.

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.

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