

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	09/04/2021
Planning Development Manager authorisation:	SCE	09.04.2021
Admin checks / despatch completed	DB	09.04.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	09.04.2021

Application: 21/00332/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr and Mrs Jonathon Britton

Address: 34A Jaywick Lane Clacton On Sea Essex

Development: Erection of rear dormer roof extension to bungalow

1. Town / Parish Council

Clacton is non parished

2. Consultation Responses

Not Applicable

3. Planning History

18/00670/FUL Proposed erection of 2 -bed single Approved 10.09.2018
storey detached dwelling

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is number 34A Jaywick Lane, Clacton on Sea, a single storey dwelling located within the settlement development boundary of Clacton.

History

Planning permission was granted under planning reference 18/00670/FUL for the erection of a two bedroom single storey detached dwelling.

Proposal

This application seeks planning permission to erect a rear dormer to accommodate a third bedroom and en-suite.

Assessment

The main considerations for this application is the design and appearance and the impact upon neighbouring amenities.

Design and Appearance

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 rear dormer will measure approximately 6.5 metres in width, by approximately 3.1 in depth with an overall height of 1.4 metres. The proposed rear dormer is deemed to be of a size and scale appropriate to the existing dwelling.

The dormer is located to the rear of the dwelling, therefore not being visible to the streetscene of Jaywick Lane. It will be constructed from vertical hanging tiles, GRP roof and white UPVC window. Jaywick Lane is characterised by a mixture of materials and it is considered that the use of the proposed materials are acceptable in this location.

Impact upon Neighbouring Amenities

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).

Due to the location of the host dwelling, it is considered that the proposed dormer will not have any impact upon the neighbouring amenities as views from the dormer window will be to the rear of the neighbouring gardens.

Other Considerations

Clacton is non parished.

No letters of representation have been received.

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 plans:

- Drawing No. KSD/18/17/05 - Proposed Elevations
- Drawing No. KSD/18/17/06 - Proposed Section
- Drawing No. KSD/21/13/01 - Site Plan and Block Plan
- Drawing No. KSD/21/13/04 - Proposed Floor and Roof Plans

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