

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	07/04/2021
Planning Development Manager authorisation:	SCE	07.04.2021
Admin checks / despatch completed	DB	08.04.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	08.04.2021

Application: 21/00269/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr and Mrs Chandler

Address: 12 Ipswich Road Holland On Sea Clacton On Sea

Development: Erection of single storey rear extension with glazed roof lantern and raised patio with glass balustrades (following demolition of existing conservatory)

1. Town / Parish Council

Clacton non parished

2. Consultation Responses

Not applicable

3. Planning History

TRE/95/47	T.1 - Oak - 30% crown reduction	Current	21.11.1995
02/01099/TPO	Lop and top Oak tree	Approved	19.06.2002
03/02223/TPO	Crown lift 1 Oak by max 3.5m [TPO/94/31]	Approved	12.12.2003
13/01395/TPO	1 No. Oak - remove branches overhanging neighbours gardens, reduce tree by 30%, remove dead wood and re-balance	Approved	02.01.2014
19/00596/TPO	1 No. Oak - re pollard	Approved	16.05.2019
21/00269/FUL	Erection of single storey rear extension with glazed roof lantern and raised patio with glass balustrades (following demolition of existing conservatory)	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)

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 detached chalet type dwelling with an adjacent garage and driveway. Sited to the rear is a second garage with fencing positioned along each neighbouring boundary. The existing house itself has been finished in render and currently benefits from an existing conservatory and decking to the rear.

Proposal

This application seeks planning permission for the erection of a single storey rear extension and decking with balustrade. The existing garage sited in the rear garden will be demolished to accommodate the proposal.

Assessment

Design and Appearance

The proposal is of a size and scale appropriate to the existing house and will be finished in materials which are consistent with the host dwelling.

The introduction of ballstrude glazing will differ from the current decking at the site however by virtue of its size and nature this element will not be visible from the streetscene and will not infringe upon its appearance.

The proposal will be predominantly to the rear with some aspects of the proposed extension being visible between the existing house and its neighbours from Ipswich Road. Whilst some views will be achieved these will be minimal and are not likely to be detrimental to the dwelling or streetscenes existing character or appearance.

A protected tree is sited along the boundary shared with the neighbour to the rear. The proposal will be sited sufficient distance from this protected tree refraining from having a harmful impact. The Councils Tree and Landscape Officer has not objected to the scheme.

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

Impact on Neighbours

Sited north west of the application site is 14 Ipswich Road which is longer in length compared to the host dwelling meaning that the proposal is unlikely to protrude past this neighbours rear elevation and will not be visible from any rearward facing openings. The proposed extension will also be sited a minimum of 3.5m from this neighbours boundary and will be partially screened by the boundary fencing preventing it from resulting in a loss of residential amenities to this adjacent house. It is also considered that the removal of the garage would enhance this neighbours views and allow it to receive more sunlight.

Sited South East of the site is 10 Ipswich Road which comprises of a detached dwelling with existing rear conservatory and a door nearest to the proposal along with fencing along the shared boundary. As a result of the proposed extensions single storey design as well as the orientation of the houses the new addition will not result in a loss of light or privacy to this neighbour. The close proximity of the extension to the boundary will result in some outlook being lost to this neighbours nearest opening which is their rear door. Both of these elements are already impacted upon in terms of loss of outlook as they currently have views of the side of the host dwelling and its existing conservatory. Whilst the proposal will reduce this further it is considered that as the proposed extension is of a single storey design which will be largely screened by the boundary fencing that any loss of outlook would be minimal and is not considered so significant to refuse planning permission upon.

The existing decking currently extends across the entire width of the rear of the existing house and this application now seeks to decrease this in size and maintain the height of 0.5m (approx.). Whilst the proposed raised decking will result in some overlooking to the neighbouring dwelling, as a result of its reduced width it will be sited a minimum of 3.5m (approx.) from each neighbouring boundary and unlikely to allow any clear views of neighbouring private amenity space. Furthermore sited along each neighbouring boundary is close boarded fencing which will assist in screening any views achieved from this decking preventing such a significant loss of privacy to the neighbouring sites.

Other Considerations

Clacton is non parished and therefore comments of this nature are not expected. There have been no letters of recommendation received in relation to this application.

Conclusion

In the absence of material harm resulting from the proposal 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: 01A.

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.