

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JR	16.04.2021
Planning Development Manager authorisation:	TF	16/04/2021
Admin checks / despatch completed	CC	16.04.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	16/04/2021

Application: 21/00377/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr Smith and Miss French

Address: 33 Norman Road Holland On Sea Clacton On Sea

Development: Erection of single storey side and rear extension

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

Not Applicable

3. Planning History

None

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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site is located on the western side of Norman Road, within the settlement boundary of Clacton-on-Sea. The site comprises of a semi-detached two storey dwelling with a garage/outbuilding and glazed lean to, which has been partially demolished, on the southern side. The property is finished in render with a hipped tiled roof.

Proposal

The application seeks planning permission for the demolition of the existing garage/outbuilding and lean to and the construction of a flat roofed single storey side and rear extension.

Assessment

Design and Appearance

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 proposed extension measures 2.4m wide at the front, some 11.7m in depth and extends across the full width of the rear elevation, with a depth of 4m from the rear wall of the main dwelling and an eaves height of 2.7m. The extension is finished in render, uPVC windows and aluminium bi-fold doors to the rear to harmonise with the external finish of the main dwelling. The proposal provides a garage, shower room, utility room and an open plan kitchen and living area.

The proposal forms a garage to the front elevation, which maintains the character and appearance of the host dwelling and the neighbouring properties. The side and rear extension would therefore have limited visibility within the streetscene. The extension has a flat roof with roof lantern, which is a common design approach for single storey residential extensions and is considered to be of a size and scale appropriate to the main dwelling, the rear garden scene and the wider area. The overall site can accommodate the proposed extension whilst retaining adequate private amenity space.

Impact to Neighbouring Amenities

The NPPF, Paragraph 17, 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 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 site is bordered by No. 31 (to the south) and No. 35 Norman Road (to the north).

The garage and side element of the proposal is located approximately 1m from the shared boundary with No. 31. This neighbour has a garage and side/rear extension located on the shared boundary of a similar height and depth to that proposed. A new door and window serving the utility room and shower room are proposed in this flank elevation facing No. 31, however there are no windows in the flank elevation of No.31. Therefore the proposed extension would not harm the amenities of this neighbouring dwelling in terms of overshadowing, undue sense of enclosure, loss of light, privacy or outlook.

No. 35 is the other half of the semi-detached pair and has a single storey rear extension and conservatory of some 4m in depth. The proposed extension has a depth of some 4m from the rear wall of No. 33 and therefore the proposed extension would not harm the amenities of this neighbouring dwelling in terms of overshadowing, undue sense of enclosure, loss of light, privacy or outlook.

The dwellings to the rear of the site are not considered to be impacted by the proposed extension due to the of separation distances involved.

Therefore the proposal considered to be acceptable and policy compliant in these regards.

Highway issues

The proposal would see the demolition of the existing garage. The replacement garage does not meet the Essex County Council Car Parking Standards adopted policy requirements in terms of size (7m x 3m) to be classed as a parking space, however there is hardstanding to the frontage of the property for parking. Therefore the proposal is acceptable and policy compliant in these regards.

Other Considerations

No representations have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. 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(s): SNR-01

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

- 3 The flat roofed area of the extension hereby approved shall not at any time be used as a balcony or sitting out area neither shall any balustrade, railings, wall or other means of enclosure be erected on any part of the flat roof unless express planning permission has been granted.

Reason - In the interest of the residential amenity and privacy of the neighbouring occupiers.

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:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO