

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	07/05/2021
Planning Development Manager authorisation:	SCE	12.05.2021
Admin checks / despatch completed	DB	13.05.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	13.05.2021

Application: 21/00508/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr De'ath

Address: 2 Rowan Close Clacton On Sea Essex

Development: Erection of single storey side extension

1. Town / Parish Council

Clacton is non parished

2. Consultation Responses

Not applicable

3. Planning History

14/01881/HHPNO T	Proposed 5m deep rear extension with an overall height of 3.7m.	Prior Approval Given	26.01.2015
18/00282/HHPNO T	Proposed rear extension 5 metres deep and 3.7 metres high.	Prior Approval Not required.	20.03.2018
18/00700/FUL	Proposed rear and side extension.	Approved	05.06.2018
21/00508/FUL	Erection of single storey side extension	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)
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) (Section 1 adopted on 26th January 2021)
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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Application Site

The application site comprises of a detached dwelling on a corner plot location with its front elevation serving Coopers Lane and its side elevation serving Rowan Close. There is boundary fencing sited to the side boundary of the site and an existing driveway to the rear.

Proposal

This application seeks permission for the erection of single storey side extension.

The proposal will be sited next to the existing house and will be positioned in front of a previous extension which has received planning permission under reference 18/00700/FUL, However works on this has not been commenced at the time of the site visit.

Assessment

Design and Appearance

The proposal will be sited to the side and publicly visible from Coopers Lane and Rowan Close.

The proposed extension will be sited a minimum of 6m from each of its boundaries and will be set back from the front wall of the main house by approximately 1.4m.

The proposal will be single storey in design which is lower in height to the existing house and as a result of its set back would not appear as a prominent feature within the streetscene.

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

The materials proposed will include timber cladding which is not consistent with the existing brick construction of the existing dwelling. Whilst materials will differ from the main house the use of

timber cladding has been approved under 18/00700/FUL for the rear and side extension and the use of such would allow these elements to appear consistent with each other. It is also noted that part of this proposal will be screened by the existing boundary fencing which will reduce its impact further.

It is therefore concluded that as the proposal would not detract from the character and appearance of the dwelling or area that it is acceptable in terms of visual amenity.

Highway Safety

The existing site has a garage and driveway to the rear currently in situ and the proposal will be sited sufficiently away from this and will not interfere with the existing parking arrangements.

Impact to Neighbours

As a result of its nature and siting away from neighbouring sites the proposal would not result in a loss of residential amenities to the nearby dwellings.

Other Considerations

Clacton is non parished and therefore no comments of this nature are expected.

There have been no letters of representation received in relation to this application.

Conclusion

In the absence of material harm resulting from the proposed 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: 0138_DD_65 , 0138_DD_64 and 0138_DD_61.

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.