

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	24/06/2021
Planning Development Manager authorisation:	TF	25/06/2021
Admin checks / despatch completed	CC	25.06.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	25/06/2021

**Application:** 21/00884/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mrs S Welsh

**Address:** 54 Burrs Road Clacton On Sea Essex

**Development:** Erection of single storey rear extension (following partial demolition of existing extension)

**1. Town / Parish Council**

Clacton non parished

**2. Consultation Responses**

Not applicable

**3. Planning History**

94/00632/FUL	Extension and alterations	Refused	19.07.1994
94/00973/FUL	Extension and Alterations	Withdrawn	17.08.1994
21/00884/FUL	Erection of single storey rear extension (following partial demolition of existing 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*Adopted Tendring District Local Plan 2007 (part superseded)*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  
TR1A Development Affecting Highways  
TR7 Vehicle Parking at New Development  
HG9 Private Amenity Spaces

*Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)*

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 26<sup>th</sup> 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 10<sup>th</sup> 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 26<sup>th</sup> 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 semi-detached chalet bungalow which has been finished in render. The existing house is set back from the front of the site with an area for parking forward of the main dwelling. The dwelling has an existing extension sited to the rear which is also finished in render and due to the positioning of the site forward of the neighbouring house is also visible from Burrs Road.

### Proposal

This application seeks permission for erection of a single storey rear extension (following partial demolition of existing extension).

### Assessment

### Design and Appearance

The proposal will extend onto the existing rear extension already in situ in terms of width and depth. As the neighbouring dwelling of 56 Burrs Road is set back on its plot this existing extension is already publicly visible. The new extension will therefore be publicly visible however due to its

set back from the boundary and single storey flat roof design will not appear prominently within the streetscene.

The depth and flat roof design is not entirely in-keeping with the host dwellings existing character. However, as the majority of the proposal will be to the rear and as this proposal will replace part of an existing structure the use of such is acceptable in this instance. Furthermore, it is not considered to result in such a significant harmful impact to the dwelling and streetscene to warrant the refusal of planning permission.

The proposals single storey design will be appropriate to the existing house and will not dominate its appearance. The use of render to match the existing dwelling will allow for consistency between the two elements. It is also noted that a gap of 0.5m between the proposal and the side boundary shared with 56 Burrs Road will be retained to prevent the proposal from appearing cramped in appearance.

The site is of a sufficient size to accommodate the proposal and still retain appropriate private amenity space in regards to saved policy HG9.

### Impact on Neighbours

The neighbouring dwelling to the north "56 Burrs Road" is set further back on its plot compared to the host dwelling. The proposal will therefore not extend past this neighbours rear wall. This neighbour only has one opening situated along its side boundary facing the application site. The proposal will therefore not result in a loss of residential amenities to this neighbour.

Sited to the south is "56 Burrs Road" which has an existing conservatory and ample planting and fencing in situ along the boundary. This neighbour already has views onto the application site's existing extension.

Due to the orientation of the plots and the proposals flat roof single storey design and partial boundary screening it is considered that the proposal would not result in a significant loss of light to this neighbour.

The slight extension to the depth of the existing extension will result in a loss of outlook to this neighbour. However, as they already have views of the existing extension and boundary treatment, the loss of such in this case is not considered so significant as to warrant refusal of planning permission in this instance.

The proposal is absent from any side facing windows and will therefore not result in a loss of privacy to this neighbour.

### Highway Safety

The Essex County Council Parking Standards states that where a house comprises of 2 or more bedrooms that 2 no. off street parking spaces should be retained which measure 5.5m by 2.9m per space.

The proposal will result in the loss of parking space at the site. However, there is sufficient space to the front of the site to accommodate the parking of two vehicles in line with the above standards allowing the proposal to comply with the Essex County Council Parking Standards.

The proposal will therefore not contravene highway safety.

### Other Considerations

Clacton is non parished and therefore no comments have been received.

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: 01 Rev A.

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.