

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DB	28.06.2021
Planning Development Manager authorisation:	SCE	29.06.2021
Admin checks / despatch completed	DB	01.07.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	01.07.2021

Application: 21/00778/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr Chris Morris

Address: 24 Preston Road Holland On Sea Clacton On Sea

Development: Erection of single storey side/rear extension

1. Town / Parish Council

Clacton Non Parished

2. Consultation Responses

N/A

3. Planning History

21/00778/FUL Erection of single storey side/rear 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Adopted Tendring District Local Plan 2007 (part superseded)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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Proposal

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

Application Site

The site is located to the south of Preston Road within the development boundary of Clacton on Sea. The site serves a two storey detached dwelling constructed of painted pebbledash render with a pitched tiled roof. The surrounding streetscene is comprised from dwellings of differing scale and design; materials present include mostly exposed brick and render. There is off street parking to the front of the dwelling, which could accommodate one vehicle.

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 side extension will extend from the back right of the dwelling by 2.1 metres and have an overall height of 2.7 metres. This side portion of the extension would allow for an office. Whilst

the side extension would be visible from the streetscene at the front elevation, the design and finish of the proposal would remain sympathetic to those present at the existing dwelling.

The rear portion of the extension would measure 4.3 metres deep, with an overall height of 2.7 metres. This section would create a dining and family room to the rear of the property, with finishes remaining consistent with the rest of the extension. This would also be a flat roof construction, with all windows doors and facias being white UPVC to match the existing. The rear of the proposal would feature a set of white UPVC doors with an additional rear facing window. Whilst the proposal is of a significant size in relation to the existing dwelling, the site can accommodate a proposal of this size and scale 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 by Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The nearest neighbours to the site would be 26 and 22 Preston Road.

Impact on 26 Preston Road

This dwelling is located to the east of the site. The single storey nature of the proposal and the presence of the existing boundary fence, means that the proposal would be mostly obscured from this neighbouring dwelling. The proposal would also not feature any side facing windows toward No.26 so would not adversely affect privacy. As the garden is also south facing it is deemed that the proposal would not adversely affect the amount of daylight to this neighbouring dwelling. As a result, it is deemed that the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of 26.

Impact on 22 Preston Road

This dwelling is located to the west of the site. There is ample separation distance between the proposed and the neighbouring dwelling. The proposal would also not feature any side facing windows toward No.22 so the privacy of this dwelling would be preserved. It is deemed that the proposal would not adversely affect the amount of daylight to this neighbouring dwelling. As a result, it is deemed that the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of 22.

Highway issues

The site has parking provision consistent with the adopted standards for a dwelling of this scale.

Other Considerations

No other letters of representation 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 / Reasons for Refusal

- 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.

- 001
- 002
- 003

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.