

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	15.07.2021
Planning Development Manager authorisation:	SCE	21.07.2021
Admin checks / despatch completed	DB	22.07.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	22.07.2021

Application: 21/00989/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr and Mrs Newman and Crease

Address: 1 Queens Road Clacton On Sea Essex

Development: Erection of single storey rear extension

1. Town / Parish Council

Clacton Non-Parished No Comments Required

2. Consultation Responses

Not Applicable

3. Planning History

21/30137/PREAPP Erection of single storey rear extension, loft conversion into the pitched roof already existing at the front of the property. Approved

21/00989/FUL Erection of single storey 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Adopted Tendring District Local Plan 2007 (part superseded)

QL11 Environmental Impacts and Compatibility of Uses (part superseded)

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

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 adopted 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 a single storey rear extension.

Application Site

The site is located towards the east of Queens road, within the development boundary of Clacton on Sea. The site serves a detached bungalow finished in render above a brickwork plinth with a hipped tiled roof. To the front of the site is a paved hardstanding with some shrubbery and trees and a low wall around the site boundary.

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 Policy QL11 and emerging Policy SP1 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.

The proposed extension will measure 3 metres from the rear of the dwelling. It measures 5 metres wide and extends 4 metres diagonally down to follow the site boundary and join with the existing dwelling. It will have an overall flat roof height of 3 metres. The proposal is considered to be of a size and scale appropriate to the existing dwelling with the application site retaining adequate private amenity space.

The proposed extension will be finished in a painted render with a flat roof design, the windows will be white UPVC and aluminium bi-fold doors with anthracite powder coat finish will be installed. It is also proposed to have one roof lantern installed, this will be of aluminium with anthracite powder coat finish and clear glazed units. The proposed extension is deemed to be of a design and appearance in keeping with the existing dwelling, the use of matching materials will cause the extension to blend with the site. As the extension is located to the rear it will not be visible to the streetscene. The proposal is therefore considered to have no adverse effects on visual amenities.

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 proposal is of a single storey nature and therefore poses no significant risk of overlooking or loss of privacy. Concerns have however been raised from neighbouring residents regarding the installation of a side window which will serve the kitchen. As this window will be located at a single storey level it is not considered to have an impact on the loss of privacy so significant to justify refusing planning permission. Furthermore there is an existing 2 metre high fencing along the site boundary that will largely shield the proposed window to the neighbouring dwelling north of the site (Number 55 Arnold Road). Any loss of privacy that may be caused by the proposal will therefore not be considered as so significant to justify refusing planning permission.

Due to the location of the host dwelling in relation to the siting of the neighbouring dwellings the proposed extension does not have any impact on the loss of light to the neighbouring properties.

The proposal is therefore considered acceptable in terms of residential amenities.

Highway issues

The Proposal neither generates an additional need for parking, nor decreases the existing parking provisions at the site.

Other Considerations

Clacton is non-parished and therefore no comments are required.

Objections have been received from a neighbouring property raising concerns over the installation of the window on the northern side elevation serving the kitchen as this will adversely impact the privacy amenity of 55 Arnold Road which faces directly at the application site and have asked for these windows to be omitted, or be made non-opening and obscure glazed. Concerns have also been raised over the proximity of the extension to the boundary line and requested information regarding the construction and materials finish of the new wall, including how the boundary will be

maintained and whether access to the garden of 55 Arnold Road is needed. Amended plans were since received followed by another consultation comments stating the existing concerns still stand.

Officer Response – with regards to the installation of the kitchen window on the north elevation, the potential impact of this window has been assessed within this report and it is deemed to be acceptable due to the fact that the extension is only of a single storey nature and will be largely shielded to the neighbouring dwelling (N0. 55) by the existing fencing along the site boundary. Any potential impact this window may have on loss of privacy is not deemed to be so significant as to justify refusing planning permission. With regards to the proposals proximity to the boundary line, the proposal will be constructed 0.3 metres from the boundary line and will be finished in a painted render, Drawing Number 01 Revision B shows the proposed elevations and also shows that the existing 2 metre high fencing will remain intact following the proposal. It is therefore not believed that any change to the existing boundary treatment will occur and access to the rear of 55 Arnold road will not be needed, however this is regarded as a civil matter rather than a material planning consideration and should therefore be resolved as such.

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 plan; Drawing No. 01 Revision B

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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
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Are there any third parties to be informed of the decision? If so, please specify:	YES	NO