

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	21/07/2021
Planning Development Manager authorisation:	SCE	23.07.2021
Admin checks / despatch completed	CC	23.07.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	23/07/2021

**Application:** 21/00812/FUL **Town / Parish:** Clacton Non Parished

**Applicant:** Mrs Jennifer Bullman

**Address:** 27 Turpins Avenue Holland On Sea Clacton On Sea

**Development:** Erection of single storey side/rear extension.

**1. Town / Parish Council**

Not applicable

**2. Consultation Responses**

Not applicable

**3. Planning History**

95/00413/FUL	Erection of a pre-cast concrete garage for a car on current hardstanding area	Refused	04.07.1995
05/02155/FUL	New 2 bedroom chalet	Refused	17.02.2006
13/00700/FUL	Proposed single storey side extension.	Approved	25.07.2013
21/00812/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Adopted Tendring District Local Plan 2007 (part superseded)  
QL11 Environmental Impacts and Compatibility of Uses (part superseded)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)

Relevant Section 1 Policies (adopted)  
SP7 Place Shaping Principles

**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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 adopted 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 site is located at the south-western corner of the junction between Turpins Lane and Seafields Gardens, and is within the Settlement Development Boundary for Holland-on-Sea. The site contains a two storey, semi-detached house with a side and rear garden. Off-street car parking is accessed from Seafield Gardens. The surrounding area is characterised by two storey houses on Turpins Lane, whilst Seafield Gardens is dominated by single storey bungalows.

### Proposal

The application seeks permission for the erection of single storey side/rear extension. A previous application under planning reference 13/00700/FUL has already been approved for the works however these were never commenced and subsequently the permission expired. This is an application for the same proposal as the applicants wish to commence works.

### Assessment

#### Design and Appearance

The proposal is of a single storey design in keeping with the host dwelling and will be visible from Turpins Avenue and Seafields Gardens as a result of the dwellings corner plot location. The proposal will be stepped in from the boundaries of the site and predominantly screened by existing boundary fencing reducing its prominence within the streetscene and ensuring any views are minimal and not detrimental to the overall character and appearance of the dwelling and area.

The house is situated on a fairly wide plot and will maintain a sufficient space between the proposal and boundary lines preventing the new enlargement from appearing cramped on its site.

The proposal is of a suitable size and design which is in keeping with the host dwelling and will be finished in materials consistent with the existing house.

The site is of a sufficient size to accommodate the proposal and still retain appropriate private amenity space.

#### Impact to Neighbours

Due to its minor nature and siting away from shared boundaries it is considered the proposal would not result in a loss of residential amenities to the neighbouring sites.

#### Other Considerations

Clacton is non parished and therefore comments of this nature are not required. There have been no letters of representation received.

#### 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: TDC1011-4-21 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.