

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DB	29.09.2021
Planning Development Manager authorisation:	JJ	30/09/2021
Admin checks / despatch completed	DB	30.09.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	30.09.2021

Application: 21/01313/FUL **Town / Parish:** Weeley Parish Council

Applicant: Miss Sarah Richardson

Address: College House Clacton Road Weeley Heath

Development: Proposed two storey side extension to existing property.

1. Town / Parish Council

Mr Kevin Harkin on behalf
of Weeley PC
21.09.2021

Weeley Parish Council considered this application at its meeting on 20 September 2021 and resolved that it has no objection or comment to make.

2. Consultation Responses

N/A

3. Planning History

19/01738/FUL	Proposed three bed dwelling with off street parking and rear garden.	Approved	28.02.2020
20/01175/FUL	Variation of condition 2 of planning approval 19/01738/FUL to increase the overall length of the building by 1m to improve the internal layout.	Withdrawn	08.10.2020
20/01193/DISCON	Discharge of conditions 3 (materials) and 4 (landscaping) of planning approval 19/01738/FUL.	Withdrawn	08.10.2020
21/01313/FUL	Proposed two storey side extension to existing property.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2021

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

QL11 Environmental Impacts and Compatibility of Uses

HG14 Side Isolation

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

SP7 Place Shaping Principles

SPL3 Sustainable Design

Status of the Local Plan

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26th January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. In this regard 'Proposed Modifications' to the emerging Section 2 of the 2013-33 Local Plan, which contains more specific policies and proposals for Tendring, has been examined and hearing sessions have now closed. The main modifications recommended to make the plan legally compliant and sound were considered at the Council's Planning Policy and Local Plan Committee on 29th June 2021. The Council held a six-week public consultation on the Main Modifications and associated documents which began on 16th July 2021. The consultation closed at 5pm on 31st August 2021 and adoption is expected later this year. Section 2 will then join Section 1 as part of the development plan, superseding in full the 2007 Local Plan. Section 2 of the 2013-33 Local Plan is therefore at a very advanced stage of preparation and should be afforded considerable weight.

5. Officer Appraisal (including Site Description and Proposal)

Proposal

Proposed two storey side extension to existing property.

Application Site

The site is located to the south of Clacton Road, which is located outside of the development boundary. The site serves a semi-detached painted render dwelling with a pitched tiled roof. The site features a large driveway, which can accommodate approximately four vehicles.

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 (Part superseded) aims 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 two-storey side extension will be to the left of the dwelling, with a ridge height and pitch that would be consistent with the main roof of the existing dwelling, creating a congruent and proportionate addition. The extension will be finished in exposed brickwork, with a gabled tiled roof, which whilst different from the existing dwelling, is deemed acceptable in terms of visual amenity. The extension will include a front projecting gable and the extension will be visible from the street scene, however the design and scale is deemed sympathetic to the existing dwelling and the pattern of surrounding development in the immediate vicinity. The side extension would also have 1.4 metre of separation distance from the boundary, which is consistent with the side isolation policy HG14.

The design and scale of the proposal is therefore acceptable and is deemed to not result in material harm to visual amenity.

Impact upon Neighbouring Amenity

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 neighbouring dwelling would be Baytrees, Clacton Road.

Impact on Baytrees, Clacton Road

The proposal would be set away from this neighbouring dwelling by approximately 3 metres, with no side facing windows, which could be compromised in terms of daylight provision. As a result, it is deemed that it would not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

Highway issues

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

Other Considerations

No other letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the development, 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.

- A4/200 (Received 22nd July 2021)
- A4/201 (Received 22nd July 2021)
- A4/202 (Received 22nd July 2021)
- A4/203 (Received 22nd July 2021)
- A4/204 (Received 22nd July 2021)
- 203 (Received 5th August 2021)

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.