

## **DELEGATED DECISION OFFICER REPORT**

<b>AUTHORISATION</b>	<b>INITIALS</b>	<b>DATE</b>
File completed and officer recommendation:	ER	15/10/20021
Planning Development Manager authorisation:	SCE	20.10.2021
Admin checks / despatch completed	DB	20.10.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	20.10.2021

**Application:** 21/01540/FULHH **Town / Parish:** Thorpe Le Soken Parish Council

**Applicant:** John Petchey

**Address:** 7 Station Road Thorpe Le Soken Clacton On Sea

**Development:** Proposed single storey rear extension.

### **1. Town / Parish Council**

Thorpe le Soken Parish Council      No Comments

### **2. Consultation Responses**

ECC Heritage -

Built Heritage Advice pertaining to an application for: Proposed single storey rear extension.

The development site is located within Thorpe Le Soken Conservation Area.

Following the submission of revised proposals, I am unopposed to this application subject to the following recommended conditions:

- Prior to commencement of above ground works, a schedule of external finish materials, including roof materials, brick type and bond style to match existing, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved materials and details specified and shall be permanently maintained as such.
- Prior to installation, a schedule of drawings that show details of all proposed windows, in section and elevation at scales between 1:20 and 1:1 as appropriate, showing details of glazing type, framing, glazing bars, cills, lintels, and ironmongery, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- Rainwater goods shall be painted or powder-coated metal and shall be permanently maintained as such.

### **3. Planning History**

21/01540/FULHH      Proposed single storey rear extension.      Current

### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework July 2021  
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)  
QL11 Environmental Impacts and Compatibility of Uses (part superseded)  
EN17 Conservation Areas  
TR1A Development Affecting Highways  
TR7 Vehicle Parking at New Development  
HG9 Private Amenity Space

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

Relevant Section 2 Policies (emerging)  
SPL3 Sustainable Design  
PPL8 Conservation Areas

Local Planning Guidance  
Essex County Council Car Parking Standards - Design and Good Practice  
Essex Design Guide

### **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 26<sup>th</sup> 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 29<sup>th</sup> June 2021. The Council held a six-week public consultation on the Main Modifications and associated documents which began on 16<sup>th</sup> July 2021. The consultation closed at 5pm on 31<sup>st</sup> 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)**

### **Application Site**

The application site comprises of a two-storey semi-detached dwelling which is amply set back from its front boundary. The site has a large frontage with its own driveway and garage. Sited to the rear of the house is an existing garage which can be seen from Station Road. The existing house also benefits from an existing conservatory structure along with fencing along each of the shared boundaries.

The house is constructed from brick with a tile hung roof and is located within the Thorpe le Soken Conservation Area.

### Proposal

This application seeks permission for the erection of a single storey rear extension following the demolition of the existing conservatory.

The proposed extension will be constructed from brick with a tile hung roof to match the host dwelling.

### Assessment

#### Design and Appearance

The proposal will be sited to the rear however due to the open space between houses will attract views from Station Road. As a result of the dwellings set back and the proposals use of equating materials to the existing house any public views will be minimal and will not be detrimental to the character and appearance of the dwelling or streetscene.

The proposal is of a suitable size and design in relation to the main house and will be finished in materials which are consistent with the host dwelling.

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

#### Heritage Impact

The site is located within the Thorpe le Soken conservation area and therefore regard must be had in terms of maintaining its character and appearance.

The Thorpe le Soken Conservation Area appraisal only makes reference to the site and its neighbours by making way for Thorpe Hall. The extract referring the site is read as such "Remaining properties date mostly from the late 19th century and have been heavily altered, before the entrance to Thorpe Hall is reached, combining piers and walls of yellow brick and stucco with evergreens."

It should be noted that this site is ample distance away from Thorpe Hall.

The proposal is of a suitable size and design in relation to the main house and will be finished in materials which are consistent with such. The house itself is set back from the front of the boundary meaning that only minimal views of the proposal will be achieved from Station Road. On this basis it is considered that the proposal is an appropriate addition to the existing house which would not be detrimental to the appearance and character of the conservation area.

The Essex County Council Heritage Team have been consulted on this application and do not oppose this application subject to conditions relating to more information on materials, windows and for rainwater goods to be painted black. Whilst they have suggested these conditions it is considered due to the proposals minor nature and the minimal impact it will have on the locale that the information provided in the application form and drawings is sufficient and these conditions are not considered necessary to the permission.

A Heritage Impact Assessment has been provided in line with the requirements of the NPPF.

#### Highways Impact

The Essex County Council Parking Standards states that where houses comprise of two or more bedrooms that two off street car parking spaces should be retained which measure 5.5m by 2.9m per space.

The proposal will slightly encroach upon the existing driveway however as the house is amply set back from its front boundary there is sufficient space to the front of the site to allow for the parking of two vehicles in line with these standards.

The proposal will therefore not contravene highway safety.

#### Impact to Neighbours

The proposal will be sited a minimum of 4.5m from its south western boundary preventing it from resulting in a significant loss of residential amenities to this neighbour known as 6 Station Road. Sited north east of the site and attached to the application house is 8 Station Road which has a small rear extension and a mixture of planting and fencing along the shared boundary.

The proposal is absent from any side facing windows and will not result in a loss of privacy to this neighbour however its close proximity to the boundary and depth means that it does have the potential to result in a loss of light and outlook to 8 Station Road.

The amount of light lost can be calculated by using the sunlight/ daylight calculations specified within the Essex Design guide. In this instance the 45 degree line in plan would fully encompass this neighbour's rear window whereas in elevation it would strike through the lower section of it. It is therefore considered that the loss of light is not so significant to warrant the grounds of refusal in this case.

Whilst the proposal will be largely visible to this neighbour's window does already have views onto the existing conservatory and planting already in situ. It is also noted that a close boarded fence of 2m could be erected along this boundary under the realms of permitted development which would also obscure views from this neighbour's window. Given this and the fact that the proposal is single storey it is considered that an enlargement of this nature would not result in such a significant reduction in outlook to this neighbour to refuse planning permission upon.

#### Other Considerations

Thorpe le Soken Parish Council have not objected to the proposal.  
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: 1B.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.