DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DB	14.04.2022
Planning Development Manager authorisation:	AN	14/04/22
Admin checks / despatch completed	DB	14.04.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	14.04.2022

Application: 22/00322/FULHH   **Town / Parish**: Clacton Non Parished

Applicant: Teresa Harding

Address: 3 Badminton Court Badminton Road Jaywick

Development: Proposed replacement rooflights and increase from 2 to 3.

1. **Town / Parish Council**

    N/A

2. **Consultation Responses**

    N/A

3. **Planning History**

    99/01702/FUL   Proposed additions to form kitchen   Approved   10.01.2000

4. **Relevant Policies / Government Guidance**

    NPPF National Planning Policy Framework July 2021

    National Planning Practice Guidance

    Tendring District Local Plan 2013-2033 and Beyond Section 1 (adopted January 2021)

    SP7   Place Shaping Principles

    Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

    SPL3   Sustainable Design

    PPL1 Development and Flood Risk

Status of the Local Plan

Planning law requires that decisions on 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 (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. **Officer Appraisal (including Site Description and Proposal)**

Proposal

Proposed replacement roof lights and increase from 2 to 3.

Application Site

The application site is located to the east of Badminton Road, within Badminton court. Which serves an end of terrace dwelling, located within the development boundary of Jaywick. The site serves a dwelling constructed of brickwork, with a first floor balcony, a pitched slate tiled roof. There are two off-street car parking spaces to the front of the dwelling. The site is located adjacent to the North Sea and is within flood zones 2 and 3.

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. Adopted Policy SPL3 aims to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to is 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 proposal would replace the existing two roof lights which serve the second floor bedroom, with 2 larger ones and a central Velux window. The windows would represent an increase in height from approximately 1.2 to 1.4 metres. The glazing would be similar to those of the existing dwelling and so the impact on visual amenity is deemed limited. As a terraced property, the proposed rooflights would no longer match the size or number of rooflights on the neighbouring dwellings. However, the terrace is already much altered at ground and first floor and the proposed change would not therefore be materially harmful.

Policy PPL1

The site is located within flood zones 2 and 3, however as the proposal is for second floor windows, policy PPL1 is not considered to be relevant and there would be no change in flood risk terms.

Impact on 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 SPL3 of the adopted 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'.

Owing to the limited scale and nature of the alterations, coupled with the dwellings orientation facing the sea, the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

Highway issues

The site has adequate parking provision in line 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. <u>**Recommendation**</u>

   Approval - Full

7. <u>**Conditions**</u>

   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.

       - 420-001 A (Received 21st Feb 2022)

       Reason - For the avoidance of doubt and in the interests of proper planning.

8. <u>**Informatives**</u>

   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.