

## DELEGATED DECISION OFFICER REPORT

| AUTHORISATION   | INITIALS | DATE       |
|---|----------|------------|
| File completed and officer recommendation:                  | ER       | 27/04/2022 |
| Planning Development Manager authorisation:                 | SCE      | 27.04.2022 |
| Admin checks / despatch completed                           | DB       | 28.04.2022 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | CC       | 28.04.2022 |

**Application:** 22/00414/FULHH **Town / Parish:** Clacton Non Parished

**Applicant:** Mr and Mrs Phillips

**Address:** 18 Vicarage Gardens Clacton On Sea Essex

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

**1. Town / Parish Council**

Clacton non parished

**2. Consultation Responses**

Not applicable

**3. Planning History**

22/00044/FULHH Proposed single storey rear extension. Approved 07.03.2022

22/00414/FULHH Proposed single storey rear extension. Current

**4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework July 2021  
National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)  
SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)  
SPL3 Sustainable Design

**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)**

Application Site

The application site is located to the north of Vicarage Gardens, which serves a detached dwelling, located within the development boundary of Clacton on Sea. The site serves a dwelling constructed of brickwork and painted render, with a pitched tiled roof. There are two off-street car parking spaces and an attached garage to the side of the dwelling.

## Proposal

Proposed single storey rear extension.

This application is a resubmission of the previously approved planning application 22/00044/FULHH which allowed for an extension 3.5m in depth.

This new application proposed a new depth of the extension to 5.5m.

## 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. Policy SPL3 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.

The proposal would extend an existing single storey rear extension by 5.5 metres wide and 5.5 metres deep with an overall height of 2.8 metres. The ground floor would be finished in brickwork, with a flat roof and roof lantern to provide additional light to the space.

The proposal would be located to the rear of the property so would have a limited visual impact on the streetscene of Vicarage Gardens. All windows and doors would be UPVC, to remain in keeping with the existing dwelling. The rear elevation would feature bifold doors, to allow views and access to the rear garden. The proposal is deemed to be of a size and scale appropriate to the existing dwelling and surrounding area. The site can accommodate a proposal of this size and scale whilst retaining ample private amenity space.

### 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 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'.

The proposal will be sited a suitable distance away from each neighbouring boundary and partially screened by existing fencing preventing it from resulting in a significant loss of residential amenities to the neighbouring dwellings.

### Other Considerations

No letters of representation have been received.

Clacton is non parished and therefore no comments of this nature are required.

### 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: 01A.

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.