

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	29.09.2022
Planning Development Manager authorisation:	AN	3/10/22
Admin checks / despatch completed	ER	05/10/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	05.10.2022

Application: 22/01362/FULHH **Town / Parish:** Clacton Non Parished

Applicant: Mr K Ogunmakinwa

Address: 3 Barnacle Way Clacton On Sea Essex

Development: Proposed installation of conservatory to the rear of the property.

1. Town / Parish Council

Clacton Non-Parished No Comments Required

2. Consultation Responses

Not Applicable

3. Planning History

16/30207/PREAPP	EIA Screening Opinion request for proposed residential development comprising of approx. 1000 dwellings, with new school and potential doctors surgery.		06.10.2016
17/30001/PREAPP	EIA Scoping Request for proposed residential development comprising of approximately 1000 dwellings, a school, potential doctors surgery, care and extra care facilities and local centre.		04.05.2017
20/00179/FUL	Detailed planning application for residential development to provide 50 no. residential dwellings (Use Class C3), comprising 40 houses (2 - 2.5 storeys) and two buildings containing ten apartments (up to 3 storeys), associated car parking, cycle parking, public open space and pedestrian/cycle infrastructure, formation of pedestrian and cycle links and other associated works and improvements at land at Oakwood Park.	Approved	18.01.2022

22/01362/FULHH Proposed installation of conservatory to the rear of the property. Current

4. Relevant Policies / Government Guidance

National:

National Planning Policy Framework July 2021 (NPPF)

National Planning Practice Guidance (NPPG)

Local:

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

Local Planning Guidance

Essex Design Guide

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

This application seeks permission for the erection of a conservatory to the rear of the property.

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. Policies SP1, SP7 and SPL 3 of the Tendring District Local Plan 2013-2033 aim 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 proposed conservatory will be located to the rear of the dwelling and will not be visible to the streetscene. The case officer has visited the site to confirm that the application site can accommodate for a proposal of this size and scale whilst retaining adequate private amenity space. The proposed conservatory is therefore considered to be of an acceptable size and scale. The conservatory will be finished in white PVCU frames with double glazing and tinted toughened glass roof sheets, it is considered to be of an acceptable design and appearance with no significant harmful effects on the visual amenities of the area.

Impact to 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 SPL 3 of the Tendring District Local Plan 2013-2033 states that all new development must meet practical requirements, it must be designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents. The development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

The conservatory is of a single storey nature and therefore poses no significant risk of overlooking or loss of privacy to the adjacent neighbouring dwellings.

The conservatory will be built along the shared neighbouring boundary north of the site. There is currently a fence serving this boundary line which will intercept the neighbouring windows before the proposed extension will. The proposed conservatory is therefore not considered to have any significant impact on the loss of light to the attached neighbouring dwelling north of the site. The proposal is not located adjacent to any other neighbouring dwelling and has no impact on the loss of light.

Highway issues

The Proposal neither generates an additional need for parking, nor decreases the existing parking provisions at the site.

Other Considerations

Clacton is non-parished and therefore no comments are required.

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. 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 plan; Drawing No. 90010842 Page 2 of 2 - Proposed floor plans and elevations.

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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO