

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	10/11/2022
Planning Development Manager authorisation:	ML	14/11/2022
Admin checks / despatch completed	CC	15.11.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	15.11.2022

**Application:** 22/01686/HHPNOT **Town / Parish:** Clacton Non Parished

**Applicant:** Mr Rose

**Address:** 50 Tewkesbury Road Clacton On Sea Essex

**Development:** Prior Approval Application under Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a proposed rear extension following demolition of existing conservatory (6m deep from rear wall of original dwellinghouse, 2.5m to eaves, 3.56m maximum height).

**1. Town / Parish Council**

Clacton is non parished

**2. Consultation Responses**

Not applicable

**3. Planning History**

22/01685/FULHH Proposed new porch. Current

22/01686/HHPNO  
T Prior Approval Application under Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a proposed rear extension following demolition of existing conservatory (6m deep from rear wall of original dwellinghouse, 2.5m to eaves, 3.56m maximum height). Current

**4. Relevant Policies / Government Guidance**

Not applicable

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

A prior notification has been received in relation to the Town and Country Planning (General Permitted Development) Order 1995 (as amended), Schedule 2, Part 1 Class A for a proposed rear extension following demolition of existing conservatory (6m deep from rear wall of original dwellinghouse, 2.5m to eaves, 3.56m maximum height) to 50 Tewkesbury Road, Clacton On Sea, Essex, CO15 3NY.

Two letters of objection has been received from a neighbour. As objections have been received, the prior approval of the Local Planning Authority is required as to the impact of the proposal on the amenity of all adjoining premises, taking into account the representations made.

During the course of the application the LPA was alerted to the fact that builders were present on site and works were commencing. Upon the officers site visit it has been determined that works are to clear the site and construct a rear decking area. This has been confirmed by the agent who has

also confirmed works on the extension will not commence until they have received a prior approval determination.

The site comprises of a two storey semi-detached dwelling located within the development boundary. The site has a rear garden with fencing along the shared boundaries. Some of this fencing has since been removed to allow other works to start on the site, however they will be replaced during construction.

#### Impact on Neighbouring Amenity

The objections made can be summarised and addressed as follows:

- Concerns over loss of Light
- Concerns over loss of Privacy.
- Concerns over close proximity to the boundary
- Lack of detail in plans provided.

The site and its neighbours are north east facing allowing for most of their sunlight to be received to their rear gardens. The proposal will comprise of a pitched roof design with an eaves height of 2.5m. The proposal will also be sited off the shared boundaries by a minimum of 0.1m.

Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line in plan would encompass both neighbours' rear openings, however in elevation the 45 degree would only catch the lower sections of these. The proposal is therefore considered to pass this test and will therefore not result in such a significant loss of loss of light to refuse permission upon in this instance.

Whilst at present there is some boundary fencing this is limited, however it could be increased under permitted development to a 2m high boarded fence if desired. This would provide further screening of the proposal and therefore the loss of outlook from the extension to neighbours would not be so significant to refuse permission upon.

Regard must also be had to a 3 metre deep extension of similar height which would be permitted development which would result in some loss of light and outlook to neighbours.

The proposal will have roof lights within each of the side roof slopes however due to their positioning these will not achieve clear views of neighbours and will therefore not result in additional overlooking.

The proposal will be close to the boundary however will be sited fully within the application site. Should access be required onto neighbouring land then this will be a civil matter between the applicant and neighbours and not a material planning consideration.

The agent has provided a proposed block plan, existing and proposed floor plans and elevations in accordance with the national validation requirements for this type of notification.

#### Conclusion

It is therefore considered that any proposed harm resulting from the proposed scheme is not considered to represent substantial harm to justify refusing planning permission.

No material harm would result to any other adjoining occupiers by virtue of the separation distance and the minor nature of the proposal.

#### **6. Recommendation**

HHPN - Prior Approval Is Given

#### **7. Conditions**

- 1 1038\_A\_SC\_02 P1 - Proposed Block Plan
- 1038\_A\_SC\_04 - Proposed elevations and floor plans

#### **8. Informatives**

Not applicable