

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JR	02.03.2023
Planning Development Manager authorisation:	AN	2/3/23
Admin checks / despatch completed	ER	02/03
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	02/03

**Application:** 22/02114/FULHH **Town / Parish:** Clacton Non Parished

**Applicant:** Mr David Walker

**Address:** 131 Golf Green Road Jaywick Clacton on Sea

**Development:** Proposed side extension with flat roof.

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

Clacton Non Parished

### **2. Consultation Responses**

None

### **3. Planning History**

00/00649/FUL	Conservatory	Approved	15.06.2000
03/00851/FUL	Proposed loft extension	Refused	01.07.2003
03/01406/FUL	Proposed loft extension	Approved	04.09.2003

### **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)

SP1 Presumption in Favour of Sustainable Development  
SP7 Place Shaping Principles

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

SPL2 Settlement Development Boundaries  
SPL3 Sustainable Design  
CP1 Sustainable Transport and Accessibility  
PP14 Priority Areas for Regeneration

Supplementary Planning Guidance

Jaywick Sands Design Guide – Adopted 17<sup>th</sup> February 2023

**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**

The application site is located on the western side of Golf Green Road, within the settlement development boundary of Jaywick. The site is set back behind No. 133 Golf Green Road, with an access way between Nos 127 and 133. The surrounding area is residential and is unusual in character in that there is a double row of dwellings on both sides of Gold Green Road. The site is within a priority area for regeneration and is within Flood Zone 3.

The site comprises of a chalet bungalow with detached garage and parking to the front of the garage.

### Proposal

This application seeks planning permission for the erection of a single storey side extension to provide 2 bedrooms.

### Assessment

#### Principle of Development.

The site is within the settlement development boundary of Jaywick and comprises of extensions to a residential dwelling. Therefore, the principle of development is considered to be acceptable subject to detailed consideration against other relevant Local Plan policies.

#### Design and Appearance

The proposed extension is sited to the southern side of the existing dwelling and extends the full depth of the dwelling, measuring some 8.6m x 5.15m. The extension is a sizeable addition to the dwelling, however the site is a larger than average plot for this area of Jaywick and the extension can be comfortably accommodated with separation distances retained from all boundaries and retaining sufficient useable amenity space for the occupiers.

The extension is single storey, with a flat roof and is proposed to be finished in materials to match the existing dwelling. Due to the siting of the dwelling, behind Nos 133 and 135 the extension would have limited visibility in the streetscene and is screened also by the existing garage to the front of the site.

The extension is therefore considered to be in keeping with the character and appearance of the main dwelling and the wider area and the main aims of the Adopted Jaywick Sands Design Guide

#### Impact to Neighbours

The extension retains adequate separation distances from the shared boundaries with Nos 133, 135 and 139 Golf Green Road. Being single storey in nature, with opening only to the front and rear elevations, the proposal is not considered to have a detrimental impact on the residential amenities of the neighbouring properties in regards to overlooking, undue sense of enclosure or loss of outlook, light or privacy.

#### Highway Safety and Parking

The Essex County Council Parking Standards 2009 set out the parking requirements for new development. For a dwelling in excess of two bedrooms, 2 parking spaces are required measuring 5.5m x 2.9m.

The dwelling is to be extended by an additional bedroom, from 3 to 4. Therefore the proposal does not impact on or increase the parking provision required on the site and retains the required 2 spaces.

### Flood Risk

The application site is located within Flood Zone 3, however the proposal is for an extension to a residential dwelling, which is considered to be a minor extension and is covered by the Environment Agencies (EA) standing advice as below:

- Floor levels should either be no lower than existing floor levels or 300 millimetres (mm) above the estimated flood level. It is also a requirement to use flood resistant materials up to at least 300mm above the estimated flood level.
- Floor levels are either no lower than existing floor levels or 300 millimetres (mm) above the estimated flood level. You will also need to use flood resistant materials up to at least 300mm above the estimated flood level.
- Flood water can put pressure on buildings, causing structural issues. If your design aims to keep out a depth of more than 600mm of water, you should get advice from a structural engineer.
- Standards for the installation and retrofit of resistance measures are available in British Standard 851188-1:2019+A1:2021.
- If you cannot raise the floor levels in this way, you will also need to include extra flood resistance and resilience measures. These measures should protect the property to at least 300mm above the estimated flood level.
- Make sure your flood resilience plans follow the guidance in the Construction Industry Research and Information Association (CIRIA) Property Flood Resilience Code of Practice.
- Standards for materials and design approaches that will speed the recovery of buildings after flooding are available in British Standard 85500:2015.
- Standards for dealing with and preventing water from surrounding ground entering below ground structures such as basements are available in British Standard 8102:2009.

A condition can be added to any grant of planning permission to ensure that the development is constructed with due regard to the EA standing advice. These measures would also support the aims of the adopted Jaywick Design Guide, in regards to designing for flood safety.

### Third Party Consultation Responses

No representations have been received following a public consultation which included a site notice posted at the site and neighbouring consultation letters sent out to the adjacent properties.

### 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

1. The works to which this consent relate must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

### NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the consent becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk of both Enforcement Action and Criminal proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2. The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Drawing No – 2022-41 – Location Plan, Block Plan, Existing and Proposed Elevation and Floor Plans.

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

### NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

3. The development hereby approved must be constructed in accordance with the Environment Agencies Standing Advice for Minor Extensions within Flood Zone 3 with due regard to floor levels and flood resistance and resilient measures.

REASON: To reduce the flood risk and damage to property during and after a flood event.

## 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.

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