

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CC	03.04.2023
Planning Manager / Team Leader authorisation:	JJ	05/04/2023
Planning Technician final checks and despatch:	CC	05.04.2023

Application: 23/00220/FULHH **Town / Parish:** Clacton Non Parished

Applicant: Mr Gene Kildea

Address: 14 Clare Way Clacton On Sea Essex

Development: Proposed single storey side extensions and conversion of existing attached garage to create a home office.

1. Town / Parish Council

Clacton Non-Parished No comments required

2. Consultation Responses

Not applicable

3. Planning History

23/00220/FULHH Proposed single storey side extensions and conversion of existing attached garage to create a home office. 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 single storey side extensions and conversion of existing attached garage to create a home office.

Application Site

The application site serves a detached bungalow located towards the east of Clare Way, within the settlement development boundary of Clacton on Sea.

Assessment

Design and Appearance

The application proposes to extend the existing dwelling on either side. The proposed side extension located towards the north of the site (adjacent to No. 16 Clare Way) is located towards the rear of the dwelling, behind the existing garage, and is therefore largely shielded from the public views of the streetscene. The proposed side extension towards the south of the site will be visible to the streetscene.

The application site is able to easily accommodate for the proposed extensions whilst retaining adequate private amenity space to the rear. The extensions are not considered to cause the dwelling to appear overly cramped within the plot due to the siting of the neighbouring dwellings in relation to that of the host – some side space will remain and the extension to the south will be set back. The proposal is therefore considered to be of an acceptable size and scale.

The proposed extensions will be of a single storey nature and finished in facing brickwork with a pitched tiled roof to match with the appearance of the existing dwelling. The use of matching materials will help the proposal to blend with the locality and lessen any harmful impact on visual amenities. The proposed extensions are therefore considered to be of an acceptable design and appearance.

The proposed garage conversion will be visible to the streetscene due to its siting at the front of the dwelling. The conversion will include the removal of the existing garage door and replacement with a window, the wall will then be finished in brickwork to blend with the host dwelling. The garage conversion is deemed to be of a minor nature with no significant harmful impacts on visual amenities.

Impact on Neighbouring Amenities

The proposed extensions, and garage conversion, are of a single storey nature and therefore pose no significant threat to overlooking or loss of privacy to the adjacent neighbouring dwellings and existing boundary treatment.

Due to the siting of the neighbouring dwellings in relation to the proposed extensions, there will be no significant impact on the loss of light to these dwellings.

The proposal is therefore acceptable in terms of neighbouring amenities.

Highway Concerns

The existing garage does not meet with Essex County Council requirements for a garage to measure 7 metres by 3 metres internally in order to be deemed an acceptable parking space. The conversion of this garage therefore cannot be said to cause a loss of parking provisions at the site. Furthermore, there is adequate space to the front of the site to provide parking to a dwelling of this size and scale. The Local Planning Authority therefore deem the proposal to be acceptable in terms of visual amenities.

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 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: 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 APPROVED PLANS & DOCUMENTS

CONDITION: 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. 3636-PA-LOC
Drawing No. PA-10
Drawing No. PA-11

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.

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

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