

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CC	15.05.2023
Planning Manager / Team Leader authorisation:	JJ	23/05/2023
Planning Technician final checks and despatch:	CC	23.05.2023

**Application:** 23/00428/FULHH **Town / Parish:** Clacton Non Parished

**Applicant:** Mr Simon Kedge

**Address:** 14 Salisbury Road Holland On Sea Clacton On Sea

**Development:** Proposed erection of garden room.

### 1. Town / Parish Council

Clacton non-parished

### 2. Consultation Responses

Not applicable

### 3. Planning History

14/00801/HHPNOT    Erection of a single storey pitched roof rear extension. 5.9m wide with an overall height of 4m.    13.11.2015

23/00428/FULHH    Proposed erection of garden room.    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 garden room

### Assessment

#### Design and Appearance

The proposed garden room will be located to the rear of the site and is not visible from the public views of the streetscene.

The garden room is of a single storey nature, due to the roof pitch it will have a maximum height of 4.4 metres to the front, reducing to 3 metres at the rear, immediately adjacent to the rear boundary. The garden room will be finished in Grey fibre cement weatherboarding with anthracite aluminium windows and doors, the windows on the rear elevation will be obscure glazed. The roof incorporates the installation of 8 solar / PV panels. The proposal is considered to be of an acceptable design and appearance with no significant harmful impacts on visual amenities.

#### Impacts on Neighbouring Amenities.

The proposal is of a single storey nature and therefore poses no significant threat to overlooking or loss of privacy to the adjacent neighbouring dwellings. The windows located on the rear elevation will be obscure glazed as to lessen any potential impact on the loss of privacy.

The proposed garden room is located an adequate enough distance from the neighbouring dwellings as to have no impact on the loss of light.

#### Renewable Energy Generation and Energy Efficiency Measures

Chapter 14 of the NPPF supports the transition to a low carbon future in a changing climate. Policy PPL 10 of the Local Plan supports proposals for renewable energy schemes giving due consideration to their scale, impact and the amount of energy which is to be generated. The installation of the solar panels will provide a renewable energy source for the applicants own use, which is to be encouraged and is in line with the objectives of Policy PPL 10.

#### Other considerations

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

No other letters of representation have been received.

#### Conclusion

The proposal is considered to comply with the aforementioned National and Local Policies. In the absence of material harm the proposal is recommended for approval.

## **6. Recommendation**

Approval - Full

## **7. Conditions / Reasons for Refusal**

### **1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT**

CONDITION: The development hereby permitted shall be begun not later 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 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 permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action 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 2023-22

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.

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