

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CC	06.06.2023
Planning Manager / Team Leader authorisation:	JJ	06/06/2023
Planning Technician final checks and despatch:	CC	06.06.2023

Application: 23/00513/FULHH **Town / Parish:** Clacton Non Parished

Applicant: Mr Ben Shadbolt

Address: 35 Constable Avenue Clacton On Sea Essex

Development: Proposed single storey rear/side extension with glazed roof lantern.

1. Town / Parish Council

Clacton Non-Parished No comments required

2. Consultation Responses

Not applicable

3. Planning History

23/00513/FULHH Proposed single storey rear/side extension with glazed roof lantern. 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

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)

Application site

The application site serves a detached two-storey dwelling, located to the west of Constable Avenue, within the Settlement Development Boundary of Clacton-on-Sea.

Proposal

This application seeks permission for the rection of a single storey rear/side extension with glazed roof lantern.

Assessment

Design and Appearance

The proposed extension is located to the rear of the dwelling, with a side element located towards the south. Due to the siting of the host dwelling and positioning of the neighbouring dwellings the proposal will not be visible to the public views of the streetscene.

The extension is of a single storey nature, the exterior walls will be finished in smooth render, with the southern elevation finished in brickwork. It will have a flat roof design incorporating a roof lantern. The proposal is considered to be of an appropriate design and appearance, in keeping with, and subordinate to that of the host dwelling and its locality. The proposed extension therefore has no significant adverse effects on the visual amenities of the area.

Impacts on Neighbouring Amenities

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

Due to the siting of the neighbouring dwellings in relation to the host site, the flat roofed nature of the extensions, the restrained height, and due to the proposal considered to be an adequate enough distance from the neighbouring properties, it is considered that the proposal will have no significant harmful effects on the loss of light.

Other considerations

The proposal does not alter the existing parking provisions at the site, nor does it result in an additional need for parking. The local planning authority therefore deem the proposal to be acceptable in terms of highway safety,

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

No other letters of representation have been received.

Conclusion

The proposal is considered to comply with the above mentioned 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. 01

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