

## irDELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CC	05.09.2023
Planning Manager / Team Leader authorisation:	AN	06/09/23
Planning Technician final checks and despatch:	JJ	06/09/23

**Application:** 23/00973/FULHH **Town / Parish:** Clacton Non Parished

**Applicant:** Mr Richard Watkins

**Address:** 55 Cliff Road Holland On Sea Clacton On Sea

**Development:** Proposed new balcony to front elevation with glass balustrading. Alterations to existing front dormer to allow new balcony door.

### 1. Town / Parish Council

Clacton non-parished      No consultation / comment required

### 2. Consultation Responses

Not Applicable

### 3. Planning History

23/00410/FULHH	Proposed new 1 and half storey rear extension with dual pitch roof. New box dormer to new dual pitch roof.	Approved	15.05.2023
23/00973/FULHH	Proposed new balcony to front elevation with glass balustrading. Alterations to existing front dormer to allow new balcony door.	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):

SP1    Presumption in Favour of Sustainable Development

SP7    Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022):  
SPL1 Managing Growth  
SPL3 Sustainable Design  
LP3 Housing Density and Standards  
LP4 Housing Layout

Supplementary Planning Guidance:  
Essex Design Guide

Local Planning Guidance:  
Essex County Council Car Parking Standards - Design and Good Practice

### **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), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) 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 a new balcony to front elevation with glass balustrading and alterations to existing front dormer to allow new balcony door.

### Application Site

The application site serves a detached 1.5 storey dwelling located to the north of Cliff Road, within the settlement development boundary of Clacton on Sea.

### Assessment

#### Design and Appearance

The proposed balcony and alterations to the existing dormer are located to the front of the dwelling and therefore visible to the public views of the streetscene.

Whilst balconies are not currently visible on Cliff Road, they are very common along Kings Parade (adjacent to Cliff Road), the proposal is therefore not out of keeping with the area.

The proposed balcony will measure approximately 4.9 metres wide by 1.2 metres deep, the balustrade will measure 1.1 metres high. The balustrade will be a frameless glass balustrade. The balcony is considered to be of an acceptable scale and appearance with no significant adverse effects on the visual amenities of the area.

The proposed front facing dormer will be increased in length to accommodate a balcony door. The dormer will keep its flat roofed design. The proposed dormer is considered to be of an acceptable design and appearance with no significant harmful effects on the visual amenity of the area.

#### Impacts on Residential Amenities

The balcony and dormer are located to the front of the dwelling and therefore only provide views overlooking the streetscene, a public area, and the fronts of neighbouring dwellings and so would have no significant harmful effects on the visual amenities of the area.

The balcony is not considered to pose any significant concern in regards to noise levels, the proposal is for a small first floor balcony to a residential dwelling and any noise emitting from the site is considered to be in keeping with this use.

The proposal has no significant impacts on the loss of light to the adjacent neighbouring dwellings.

#### Other Considerations

The proposal has no impact on the existing parking provisions at the site and does not cause a need for additional parking.

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

No other letters of representation have been received.

#### Conclusion

The proposal is consistent with the above-mentioned National and Local Planning 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. 9050-A-002 00 - Proposed Outline Plan  
Drawing No. 9050-A-002 00 - Site and Block Plan  
Drawing No. 9050-A-200 01 - Proposed Floor Plans and Elevations

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.

<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