

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AS	4/6/18
Planning Development Manager authorisation:	AN	5/6/18
Admin checks / despatch completed	AP	6/6/18

ER

Application: 18/00493/FUL **Town / Parish:** Clacton Non Parished
Applicant: Mr J Eaton
Address: 90 Spenser Way Jaywick Clacton On Sea
Development: Proposed single storey rear extension.

1. Town / Parish Council

n/a

2. Consultation Responses

n/a

3. Planning History

18/00493/FUL Proposed single storey rear extension. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the

emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is on the south side of Spenser Way, Jaywick. The site comprises a single storey semi-detached dwelling, detached garage and wooden garden shed. The dwelling is finished in brickwork and render, with concrete tiles to the roof. The site is within the Development Boundary of Jaywick.

Proposal

This application seeks planning permission for a single storey rear extension, following the demolition of the existing conservatory. The proposal will extend 4.5m beyond the rear wall of the original dwelling; have an eaves height of 2.75m to match the existing; and an overall height of 5m. Materials will match the host dwelling.

Appraisal

The main considerations of this application are the visual impact, impact on neighbours and private amenity space.

Visual Impact

The proposal is sited to the rear of the dwelling, and will be largely screened from the highway. Its overall height is lower than the host dwelling, and the roof slope to the side elevation matches the slope of the existing roof. The size and scale are appropriate for the existing dwelling, and can be accommodated within the site. Matching materials create a sense of cohesive development.

Impact on Neighbours

The proposed extension is sited at the boundary with the adjoining neighbour to the east. The 45 degree sunlight/daylight test shows that the centre of the neighbour's rear window closest to the boundary will be obscured by the 45 degree overshadowing zone in plan, but not in section. The western neighbour benefits from greater separation from the proposal, and rear windows aren't obscured by the overshadowing zone in either plan or elevation. Significant impact on the neighbour's daylight and outlook is therefore avoided.

There are no proposed openings to the side elevations that would impact neighbouring privacy.

Private Amenity Space

Policy HG9 of the Local Plan requires that new dwellings with 3 or more bedrooms be provided with at least 100 square meters of private amenity space. Following the erection of the proposal, 183 square metres will be retained in the back garden - which satisfies this policy.

Other Considerations

No letters of representation have been received.

Conclusion

In the absence of material harm as a result of the proposed development, this application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be begun before 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 the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no: JE_100_001 rev: A (showing the Block Plan); and Drawing no: JE_101_001 (Plans and Elevations as Proposed).

Reason - For the avoidance of doubt and in the interests of proper planning.

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:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO