

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	04/06/18
Planning Development Manager authorisation:	AN	12/6/18
Admin checks / despatch completed	AP	13/6/18

**Application:** 18/00616/FUL

**Town / Parish:** Clacton Non Parished

**Applicant:** Mr Puncher

**Address:** 53 Harpers Way Clacton On Sea Essex

**Development:** Proposed loft conversion with two front dormers.

### 1. Town / Parish Council

Clacton Non-Parished.

### 2. Consultation Responses

N/A

### 3. Planning History

02/00238/OUT	Proposed residential development	Refused	10.05.2002
02/01818/OUT	Residential development	Approved	30.04.2004
04/01832/DETAIL	Construction of 55 no. dwellings, garages, associated highway works and public open space	Approved	31.03.2005
10/01123/FUL	Retention of fences.	Refused	07.12.2010

### 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

## 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The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 16<sup>th</sup> 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**

### Site Description

The application site is 53 Harpers Way, Clacton-on-Sea, which is a two storey detached residential property, constructed with cream render and a brick plinth. The character of the surrounding area is dominated with urban built form, with residential properties to all sides; however further out to the east and south sees larger areas of grassed land. The site falls within the Settlement Development Boundary for Clacton-on-Sea within both the Tendring District Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

### Description of Proposal

This application seeks planning permission for the conversion of the existing loft to create additional living accommodation. This will include the creation of two front facing pitched roof dormers.

The submitted plans also show a flat roof rear elevation dormer. However, this meets the criteria as stated within Class B of the General Permitted Development Order and therefore does not form part of the consideration of this application.

### Assessment

The main elements of assessment for this proposal are the visual impact and the impacts to neighbouring amenities.

### Visual Impact

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The two dormers and roof light to the front elevation of the host dwelling will be highly visible along the street scene within Harpers Way. However, given that there are existing examples of front facing dormers along this section of Harpers Way there is not considered to be any identifiable harm to the character of the area. Further, the pitched roof design is considered to be of good visual merit and will therefore result in a pleasant addition to the host dwelling.

### Impact to Neighbouring Amenities

The NPPF, at paragraph 17 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed dormers and roof light are sited to the front elevation and whilst they will be visible to neighbouring properties along Harpers Way, they will not result in any overlooking to any private amenity area, thereby resulting in a neutral impact to existing amenities.

### Other Considerations

Clacton is non parished so no comments are required.

There have been no other letters of representation received.

### Conclusion

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

## **6. Recommendation**

Approval.

## **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, 'Location Plan' received on 1 June 2018, 'Proposed Elevations and Roof Plan' received on 1 June 2018 and 'Proposed Elevations' received on 1 June 2018.

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.