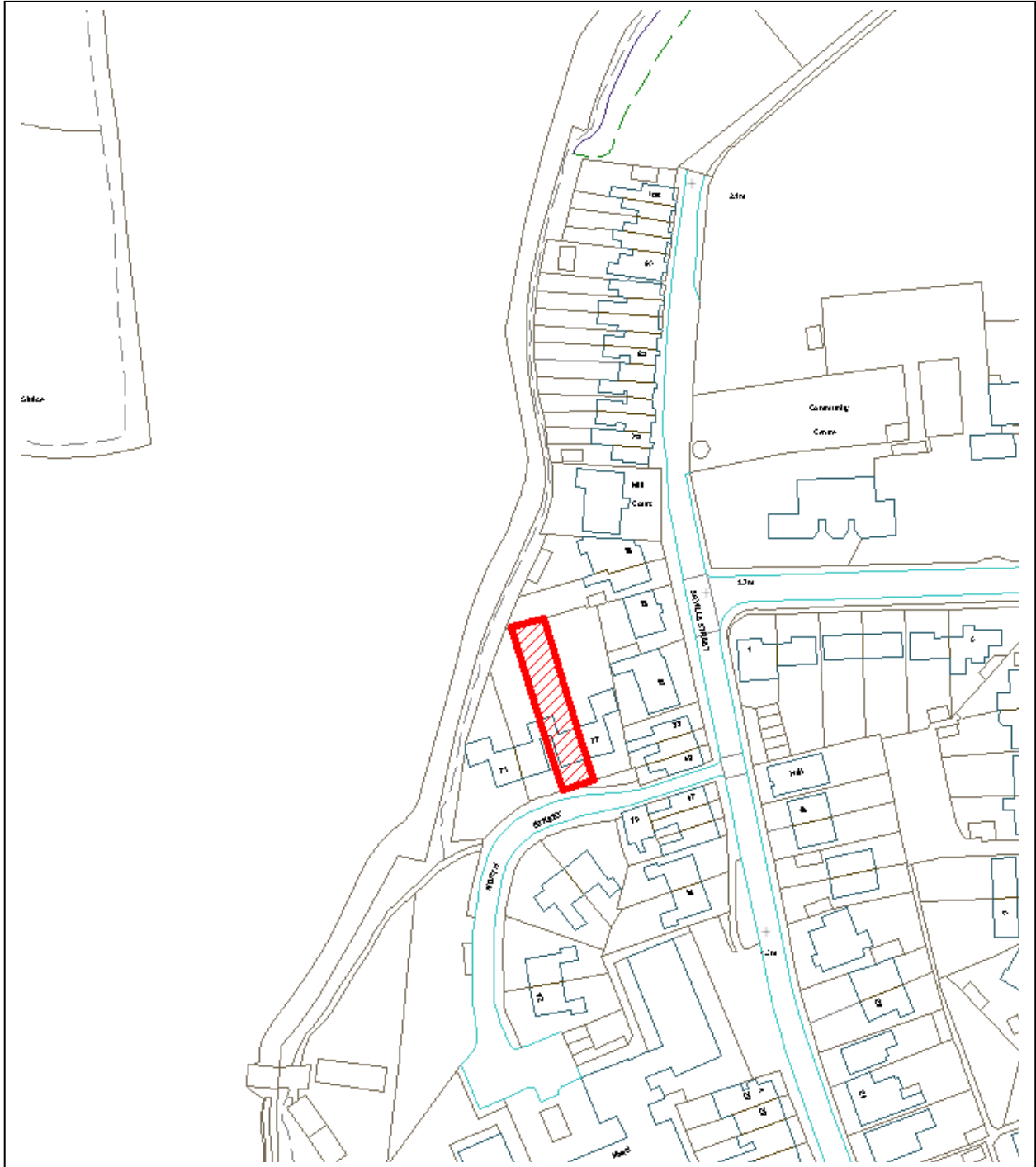


PLANNING COMMITTEE

7 AUGUST 2012

REPORT OF THE ACTING HEAD OF PLANNING

A.4 PLANNING APPLICATION - 12/00665/FUL - 75 NORTH STREET, WALTON ON THE NAZE, CO14 8PH



DO NOT SCALE

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Application:	12/00665/FUL	Town / Parish: Frinton & Walton Town Council
Applicant:	Housing Portfolio Holder	
Address:	75 North Street, Walton On The Naze, Essex, CO14 8PH	
Development:	Proposed rear extension to provide bedroom and bathroom facilities for disabled person.	

1. **Executive Summary**

- 1.1 The application is before Members as Tendring District Council is the applicant.
- 1.2 The proposed extension complies with the Development Plan, will cause no material harm to residential amenities and is not publicly visible and is therefore recommended for approval.

Recommendation: Approve

Conditions:

1. Time Limit
2. Approved Plans

Reasons for Granting Planning Permission:

In approving this application, the Local Planning Authority has taken account of all planning considerations material to its determination, particularly the impact on residential amenities and all representations made. In the absence of any material adverse impact resulting from the development, the Local Planning Authority conclude that the proposals accord with the provisions of the development plan as applicable to it.

2. **Planning Policy**

National Policy:

NPPF National Planning Policy Framework

Local Plan Policy:

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

3. **Representations**

Frinton & Walton Town Council REFUSAL - overdevelopment of the site. Loss of light and amenity to neighbouring property.

4 letters of objection received (2 from the same address) which can be summarised as follows;

- Party Wall issues.
- A chair lift should be installed.
- Relocate tenants to better suited bungalow with disabled facilities.
- Not entirely necessary at a time of cut backs and economic crisis.

These are not planning material planning considerations.

- Will reduce daylight severely.
- Eliminates all direct sunlight to ground floor windows of number 77 placing them in permanent shadow.
- Building near sewage pipes.

These points, together with the Town Council comments, have been address is the 'Impact on Residential Amenities' section of the main report below.

4. **Assessment**

4.1 The main consideration in this instance is the impact on the residential amenities of the occupiers of the neighbouring properties numbers 73 and 77 North Street.

Impact on Residential Amenities

4.2 The application proposes a single storey pitched roof rear extension approximately 6.5 metres in width with a maximum depth of 4.2 metres (reducing to 3 metres) and an overall height of 3.5 metres. The proposed extension will accommodate a ground floor bedroom and bathroom facilities for a disabled occupant.

4.3 There is an existing outhouse to the north west of the site adjoining the outhouse of number 73. The proposal involves the partial demolition of the outhouse to allow for the erection of the extension.

4.4 The proposed extension is to be positioned just less than 1 metre from the neighbouring boundary with number 73 extending 3 metres rearward increasing to 4.2 metres at a point of approximately 3 metres in from the boundary. The roof is hipped away from the boundary being over 4 metres away at its highest point. No side windows are proposed in the extension. For these reasons and due to the south-east orientation of the properties the proposal will not be materially harmful to the residential amenities of the occupiers of number 73 North Street.

4.5 The proposed extension is to be positioned in close proximity to the boundary with the adjoining neighbour number 77 extending rearward by 4.2 metres. As the height of extension is below 4 metres, an extension of a similar design but 3 metres in depth could be built as permitted development. Due the north facing orientation of the rear gardens of the properties the rear windows of number 77 currently receive little or no direct sunlight. The proposed extension will not cause a material loss of sun light to the rear windows of number 77 being already obstructed by the properties themselves. Any loss of sunlight will therefore be late evening sun only during the summer months.

- 4.6 The height of the eaves being only marginally higher than a permitted 2 metre boundary fence at 2.3 metres and the slack roof pitch being hipped away from the boundary further minimises any impact on daylight.
- 4.7 The proposal is acceptable in terms of scale and design being single storey with a low roof height. The proposal retains adequate spacing to the side and rear of the property and is not considered to be overdevelopment of the site.
- 4.8 The concerns raised regarding the position of the proposed extension in relation to where the sewerage pipes exit number 77 North Street will be dealt with at the building regulations stages of the development.
- 4.9 The development includes the partial demolition of the shared outbuilding and the construction of building close to a property boundary. The provisions of the Party Wall Act 1996 may apply to this development and an informative will be added to the decision notice accordingly.

Background Papers

None.