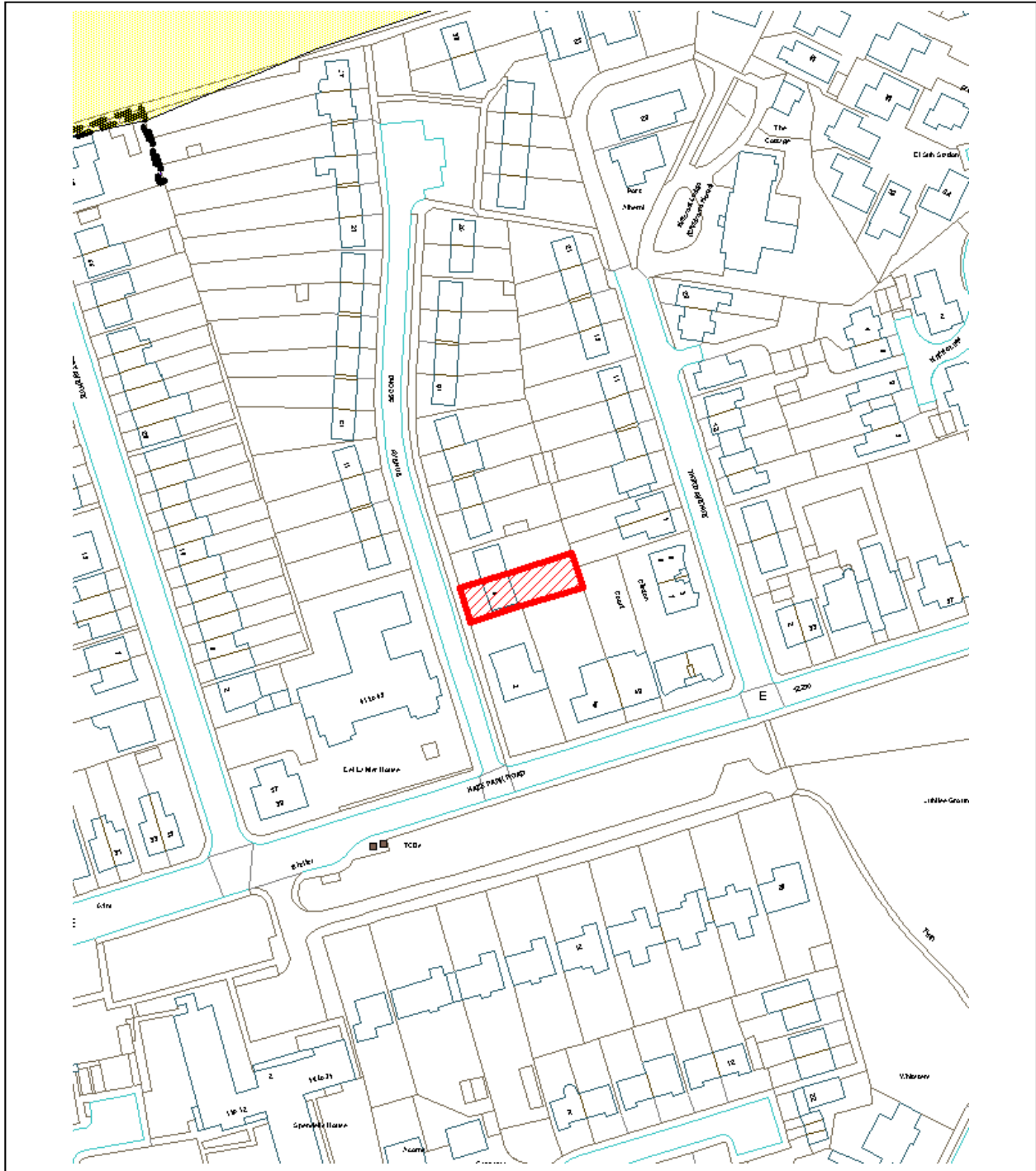


PLANNING COMMITTEE

16 SEPTEMBER 2014

REPORT OF THE HEAD OF PLANNING

A.4 PLANNING APPLICATION - 14/01082/FUL - 4 SECOND AVENUE, WALTON-ON-THE-NAZE, CO14 8JS



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Application:	14/01082/FUL	Town / Parish: Frinton & Walton Town Council
Applicant:	Mrs Sandra Barnes	
Address:	4 Second Avenue Walton On The Naze CO14 8JS	
Development:	Erection of single storey front extension.	

1. **Executive Summary**

- 1.1 The application has been referred to Planning Committee at the request of Councillor D. Miles.
- 1.2 This application follows a recent refusal and subsequent appeal dismissal for the same character of development, this being a single storey front extension to a semi-detached bungalow. The only difference in this case relates to fenestration changes and such changes are not considered to materially affect the Inspector's concerns in relation to the unacceptable siting, design, massing, and materials, resulting in material harm to the street scene within Second Avenue. It is therefore recommended that the application is refused and an enforcement notice is served against these unauthorised works, confirmed as harmful by the planning appeal Inspector.

Recommendation: Refuse planning permission and serve enforcement notice.

Reason for Refusal:

It is the policy of the Local Planning Authority, as contained within the saved Tendring District Local Plan (2007) Policy QL9 - Design of New Development that "all new development must make a positive contribution to the quality of the local environment and protect or enhance local character". This Policy goes on to state that development should, amongst other things, "relate well to its site and surroundings particularly in relation to its siting". This approach is maintained in the Draft Tendring District Local Plan (2012) Policy SD9 - Design of New Development. Additionally, Paragraph 58 of the National Planning Policy Framework ("the Framework") requires that developments "establish a strong sense of place", "respond to local character", and "reflect the identity of local surroundings". Paragraph 60 goes on to state that it is "proper to promote or reinforce local distinctiveness".

The properties on Second Avenue have a strong front building line. The roofscape is dominated by gable roofs to side elevations and the external materials of the front walls are predominately exposed brickwork.

The development, by virtue of its massing, materials, design and siting, is out of character with the streetscene and does not relate well to its site and surroundings. In doing so, it causes significant harm to the visual amenity of the streetscene and would be contrary to the afore-mentioned policies and paragraphs 58 and 60 of the Framework.

The development therefore fails to address the concerns expressed by the Planning Inspector in dismissing the appeal the original and substantially similar scheme (APP/P1560/D/11/2144171).

2. Planning Policy

National Policy:

National Planning Policy Framework (2012)

Planning decisions should aim to ensure that developments establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; respond to local character and history; and reflect the identity of local surroundings and materials.

Planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Local Plan Policy:

Tendring District Local Plan 2007

QL9 Design of New Development

Tendring District Local Plan: Proposed Submission Draft (2012) as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014)

SD9 Design of New Development

3. Relevant Planning History

12/60287/HOUENQ	Extension		12.07.2012
12/00888/FUL	Living room extension to front of property.	Application returned (insufficient supporting information)	16.08.2012
13/00205/FUL	Proposed conservatory on front of bungalow.	Application returned (insufficient supporting information)	05.04.2013
13/00863/FUL	Front extension.	Refused Appeal dismissed	14.11.2013 03.02.2014

4. Consultations

4.1 Frinton and Walton Town Council: Approval

5. Representations

5.1 Councillor Delyth Miles has called the application in for determination at Planning Committee because of the following:

- In-line with development plan
- Positive impact on urban design/street scene
- Good layout and/or density issues
- Positive impact on neighbours

- Applicants originally advised planning permission not required. Confusion over front/rear layout has led to retrospective application

5.2 These matters are addressed in the report below. In relation to the final bullet point, a householder enquiry was submitted by the applicant in June 2012 for an “extension”. The Council’s response stated “planning permission is not required if the extension does not extend beyond the rear wall of the original dwelling house by more than 3 metres”. Following this two planning applications for front extensions were submitted by the applicant in August 2012 and April 2013 but both were returned as invalid as the additional information requested was not provided. The submission of these two planning applications suggests that the applicant was aware that planning permission was required for a front extension. The front extension subject of this application was under construction in July 2013.

5.3 Two letters of objection have been received and are summarised as follows (*comments where not addressed in report below*):

- Already been refused and appeal dismissed
- No other front extensions this looks completely out of place
- Other people have had front extensions refused (cannot find any other refusals in this road in the last twenty years).

6. **Assessment**

The main planning considerations are:

- Planning History
- Visual impact

Proposal

6.1 The application seeks to retain a single storey front extension measuring 3.2 metres deep, by 4.6 metres wide and 4.4m high.

6.2 The extension is constructed of red brick, with dark horizontal cladding to the front elevation above the window, and tiles to match the existing bungalow.

Site location

6.3 The site is located on the eastern side of Second Avenue, 40 metres north of the junction with Naze Park Road. The site lies within the Settlement Development Boundary for Walton-on-the-Naze in both the saved and draft Local Plan.

6.4 The site contains a semi-detached bungalow. Both immediate neighbours are bungalows but most of the surrounding properties are two storey terraced houses with a large two storey detached care home opposite the site. The immediate neighbour at number 2 occupies a corner plot and has a single storey front conservatory. The two storey semi-detached house at number 8 has a small front porch. Other properties in the immediate area have not been extended to the front and development forms a consistent building line.

Planning History

6.5 Application 13/00863/FUL was for the same extension but showed different fenestration details (one rooflight to each side elevation where current proposal shows one window and one door; and french doors and glazing to gable on front elevation where current proposal shows triple window and dark horizontal cladding to gable). That application was refused

planning permission in November 2013 on the grounds that the extension by virtue of its massing, materials, design and siting, appeared out of character with the streetscene and does not relate well to its site and surroundings causing significant harm to the visual amenity of the streetscene. The wording is as detailed in the recommendation for this current application.

- 6.6 An appeal against that decision was dismissed in January 2014 and in reaching her decision the Inspector stated “Due to the limited extensions and alterations to the front of properties and well defined building line on Second Avenue, the front extension would be highly visible and incongruous with other properties within the street scene. This would be exacerbated by the gable end design, with extensive use of glazing including French doors, which does not reflect the horizontal proportions of windows typical of properties in the area, or the predominantly red brick elevations”. The Inspector went on to add “the ridge height of the pitched roof, at over 4m means that the extension would be visible from some distance at the northern end of Second Avenue as well as from the junction with Naze Park Road. Consequently it would compete for dominance with the host dwelling in terms of its size and scale.” The Inspector did not consider the conservatory extension at number 2 (being lower, of glazed construction and benefiting from screening) was comparable to the proposal and gave little weight to it in reaching her decision.
- 6.7 The Inspector concluded “that the front extension, by reason of its siting, design, massing, and materials, causes material harm to the street scene within Second Avenue” contrary to saved policy QL9 and the applicant’s “personal circumstances do not outweigh the harm and conflict with the development plan I have identified.”

Visual impact

- 6.8 The only difference between the dismissed proposal and the current application relates to the fenestration changes. Such minor changes do not address the Inspector’s concerns in relation to the unacceptable siting and massing causing material harm to the street scene. The use of dark horizontal cladding to the front gable in place of glazing is also out of character with the palette of materials in the immediate area and exacerbates the incongruous appearance of the extension within the street scene.
- 6.9 It is therefore considered that the application should be refused in accordance with the recent appeal decision which is a primary planning consideration in the determination of this application.

Background Papers

None.