

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	11/07/2018
Planning Development Manager authorisation:	AN	16/7/18
Admin checks / despatch completed	SB	16/07/18
	AP	16/7/18

Application: 18/00800/FUL

Town / Parish: Frinton & Walton Town Council

Applicant: Mr & Mrs Bagnall

Address: 64 The Street Kirby Le Soken Frinton On Sea

Development: Rear and side extension.

1. Town / Parish Council

Frinton & Walton Town
Council

Recommend approval for the application

2. Consultation Responses

n/a

3. Planning History

11/01045/TCA	1 No. Pine - fell, 1 No. Ash - pollard.	Approved	27.09.2011
16/02066/FUL	Demolition of triple garage/storage building.	Approved	28.02.2017
16/02067/OUT	Proposed erection of five detached retirement bungalows and associated parking following demolition of existing block/storage building.	Refused	18.04.2017
18/00800/FUL	Rear and side extension.	Current	
18/00828/DETAIL	Proposed erection of five detached retirement bungalows and associated parking following demolition of existing block/storage building.		

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

HG9 Private Amenity Space
HG14 Side Isolation
EN17 Conservation Areas

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design
PPL8 Conservation Areas

Local Planning Guidance
Essex Design Guide

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. Importantly the Inspector has confirmed that the housing requirement for Tendring of 550 new homes per annum for the period up to 2033 is based upon sound evidence. There are however concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. 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.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years worth of deliverable housing land against their projected housing requirements (plus a 5% or 20% buffer to ensure choice and competition in the market for land). If this is not possible, housing policies are to be considered out of date and the presumption in favour of sustainable development is engaged with applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not.

The Council can demonstrate, with robust evidence, a five-year supply of deliverable housing sites and this has been confirmed in recent appeal decisions. This is based on a housing requirement of 550 dwellings per annum which has been confirmed as sound by the Inspector for the Local Plan examination. Therefore policies for the supply of housing are not out of date and applications for housing development are to be determined in accordance with the Local Plan.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is south facing and is situated within the development boundary and Conservation area of Kirby Le Soken. The main property is a detached, painted render house

under a concrete tile gambrel roof. The house sits close to the The Street with a low level wall defining the front boundary. Vehicular access is via a shared driveway to the west of the dwelling. To the rear a flat roof extension and conservatory structure are later additions. The gravel driveway leads to a large dilapidated garage block which has planning permission for demolition under reference 16/02066/FUL. The remaining area behind the house is partially hardstanding and partially grass.

Description of Proposal

The application proposes the erection of a two storey rear extension and single storey side extension following the demolition of the existing structures. There will also be changes to the front elevation whereby the two single storey bay windows will be removed.

The two storey rear extension will measure a maximum of 10.2 metres in width, 5.5 metres in depth with an overall ridge height of 6.3 metres. The height to the eaves is 3.35 metres. The new roof will be gambrel in style, a mirror image of the existing dwelling roof which will be joined through the middle by a flat roof with pitched side roof slopes. The gambrel roof will have two dormers and a roof light in the rear roof slope and one roof light on the eastern roof slope. At ground floor a door from the utility room and folding doors from the open living area will lead out to the rear. The two storey extension will allow the internal reconfiguration of the ground floor whilst creating an additional bedroom, 2 en suites and a dressing room at first floor level.

The single storey side extension will be located on the eastern side of the house and will measure a maximum of 1.55 metres in width, 7.2 metres in depth with an overall pitched roof ridge height of 4.3 metres. The height to the eaves is 2 metres. The side extension will accommodate a front entrance, lobby and wc. The extension will be finished in white render with concrete tiles. The windows will be UPVC timber effect and will also be replaced on the existing part of the building.

Assessment

The design and appearance, conservation area, impact on neighbouring properties and residential amenity are the main considerations for this application.

Design, Appearance and Conservation Area

64 The Street holds a prominent position as you enter Kirby Le Soken from a westerly direction with its original gambrel gable roof a recognisable feature. The extension will also be visible when travelling eastwards but will be partially obscured by the cottage of 62 The Street. The addition of a rear extension will create a double gable with an infill flat roof, disguised by a tiled sloping roof at the sides. The rear extension will be clearly visible from The Street but taking into consideration the mirrored design, the ridge height which matches that of the existing dwelling and the surrounding cottages there will be no significant impact to the street scene.

64 The Street is situated within a spacious plot that can accommodate this level of development and the rear and side extensions will replace existing structures which are old and of poor quality.

The side extension is set back from the front elevation by 2.1 metres ensuring it does not dominate the front elevation. Matching materials will be used for the rear and side extension ensuring that the new ties in with the old.

The application site lies within the Kirby Le Soken Conservation Area. The Conservation area appraisal specifically describes 64 The Street, formally known as Sunnyside as '*.....particularly obvious on the inside of the slight bend in the street, originally two weatherboarded cottages and now with profiled concrete tiles on its gambrel roof.*'

It is assumed that the two bay windows which will be removed from the front elevation used to form the separate entrances to the cottages when the building was two dwellings. The removal of these features is not considered harmful due to the alterations that have already been undertaken over time.

The Conservation area appraisal describes this section of The Street in Kirby Le Soken as follows: '*From a track giving extensive views northwards, a footpath now begins on the north side of the road, and leads past a succession of cottages, mostly of one and a half storeys, and all with roofs parallel to the road and forming an interesting sequence full of character. Weatherboarding and thatch were common at the turn of the last century, with front boundary walls of brick or in the form*

of simple picket fences. Today the facades of these cottages are all rendered, with roofs of clay or concrete tiles or natural slate. Front boundaries are provided by more ornamental picket fences or by hedges. The rendered gable ends and the simply-detailed chimneys of those cottages closest to the road are the most prominent items in the street scene at this point.'

The characteristics described above are evident in this part of The Street today. The design of the extension and alterations is considered to be of a scale and nature that is appropriate and the proposal will not cause any significant harm to the character of the immediate area.

The applicant has submitted a Heritage statement to support the application which states 'remove the white UPVC extension and flat roof kitchen extension and to replace with 2 storey extension in keeping with the integrity of the village scene and heritage' and has concluded that 'This application forms part of the overall intention to improve the existing street scene.....and to improve the appearance of the house which has previously been neglected.

Impact on Residential Amenity

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4 metres in height, as in this case. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary, which in this case has been met where there is a distance of 1.6 metres from the two storey extension to the eastern shared boundary shared with 62 The Street.

The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line does not intercept any of the windows at 62 The Street ensuring there will be no significant loss of light.

The existing dwelling of 64 The Street has three first floor windows and a door which face north onto the back garden. The new rear elevation will have two windows and one roof light at first floor level, with one roof light on the eastern side roof slope. Due to the position of the garage of 62 The Street and only slight changes to the window arrangement on the rear elevation it is considered that no significant additional risk of overlooking or loss of privacy from the two storey extension will take place.

An appeal for application number 16/02067/FUL was allowed for five detached bungalows on the land behind 64 the Street which will also utilise some of the land where the large garage building currently sits. Although this will reduce the amenity space available to 64 The Street there will still be at least 150 square metres of garden space which is considered more than adequate. There is ample off road car parking space available in its current form and even following the proposed development of 5 bungalows at the rear an area for off road car parking has been allocated.

Other Considerations

Frinton and Walton Town Council recommend approval for the application.

Two letters of support have also been received.

Conclusion

In the absence of any material harm resulting from the development, the 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 Ref. PA-10

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