

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	28/06/18
Planning Development Manager authorisation:	AN	16/7/18
Admin checks / despatch completed	AN	17/7/18

ER

Application: 18/00813/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr & Mrs M Glading

Address: 19 Greenway Frinton On Sea Essex

Development: Erection of a double storey side extension and single storey rear extension.

1. Town / Parish Council

Frinton & Walton Town Council APPROVAL – subject to the second storey having the required boundary gap with the next residential property.

2. Consultation Responses

N/A

3. Planning History

95/00092/FUL Side garage addition Approved 08.03.1995

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

HG14 Side Isolation

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. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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. They raise 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.

5. Officer Appraisal

Site Description

The application site is 19 Greenway, Frinton-on-Sea, which is a north facing semi-detached two storey residential property that benefits from a single storey side extension which serves as a garage. The surrounding area is urban in character, with residential dwellings to all sides. The site falls within the Settlement Development Boundary for Frinton-on-Sea within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

Description of Proposal

This application seeks planning permission for the erection of a first floor side extension to the existing single storey side extension, and also seeks permission for a single storey rear extension.

Initially plans were submitted for a larger side extension; however Officers had concerns relating to the visual impact and the impact to the neighbouring property to the west. Following this, amended plans have been submitted that have reduced the width by 0.3m and have also set the extension back 1m.

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).

In terms of the proposed single storey rear extension, due to its siting to the rear of the host dwelling it will not be visible from the street scene, resulting in a neutral impact to the areas existing character. Further the design is what would be expected from such a proposal, whilst the materials will all be in-keeping with the host dwelling.

The first floor side extension is sited to the side of the host dwelling and is therefore more publically visible and its impact to the areas character is a key consideration. Whilst initial plans resulted in the dwelling looking too wide and unbalanced in its setting, amended plans have reduced the width and set it back in order for it to be more clearly distinguishable as an extension. Whilst the overall design is not considered to be of great quality, it matches the design previously approved under planning permission 07/01335/FUL on the adjacent 17 Greenway, and therefore on balance the identified harm is not significant or reasonable enough to warrant a reason for refusal.

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).

Whilst the single storey rear extension will be abutting the boundary to the east-facing neighbour, Number 17 Greenway, its single storey nature will ensure no overlooking. Its overall height of 2.7m will ensure no significant loss of light or imposition, additionally aided by the fact the neighbour is east facing and would therefore only result in a partial loss of sunlight in the late afternoon/early evening. Further, it is acknowledged that under Permitted Development rights, a similar extension would be permissible had the depth been reduced to 3 metres, and therefore there is not significant harm to warrant a reason for refusal.

In respect of the first floor side extension, there were initial concerns to the impact upon the side dormer on the adjacent property Number 21 Greenway. However, amended plans have reduced the width 0.3 metres away from the boundary, creating an overall separation distance of approximately 1 metre. This, and that the agent for the application has confirmed the side dormer is serves a bathroom with obscure glazing, ensures the proposal will not result in a significant loss of outlook. Furthermore, due to the properties being north-facing and the sun rising in the east and setting in the west, it will not result in any loss of sunlight.

In terms of potential overlooking, there will be an additional first floor rear elevation window serving a bedroom. Whilst it is acknowledged this will result in some additional overlooking, the principle of overlooking has previously been established with the two existing rear first floor windows and this proposal will not result in significant additional harm.

Therefore, on balance, the identified harm to existing neighbouring amenities is not significant enough to warrant a reason for refusal.

Other Considerations

Frinton and Walton Town Council has recommended approval subject to the first storey side extension having the required space to the neighbouring property.

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, drawing numbers MG-P001, MG-P004 Revision A, MG-P005 Revision A and MG-P006 Revision A.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.