

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	26/07/2018
Planning Development Manager authorisation:	SCE	08/08/18
Admin checks / despatch completed	RB	06/08/18

Application: 18/00934/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr & Mrs Young

Address: 57 Woodberry Way Walton On The Naze Essex

Development: Proposed two storey rear extension and single storey front extension.
(Variation to approval 18/00198 to amend roof of two storey rear extension).

1. Town / Parish Council

Frinton and Walton Town Council APPROVAL

2. Consultation Responses

Not applicable

3. Planning History

04/00715/FUL	Garage extension	Approved	26.05.2004
18/00198/FUL	Proposed two storey rear extension and single storey front extension.	Approved	04.04.2018
18/00934/FUL	Proposed two storey rear extension and single storey front extension. (Variation to approval 18/00198 to amend roof of two storey rear extension).	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018
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
TR7 Vehicle Parking at New Development
TR1A Development Affecting Highways

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

Local Planning Guidance

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 48 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 48 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 (including Site Description and Proposal)

Application Site

The site comprises of a north west facing two storey detached dwelling "57 Woodberry Way." The dwelling is of a render and brick construction with a brick built garage attached. The application dwelling is set back from the front of the site with an area of hardsurfacing to the front. The dwelling has a large garden area to the rear with fencing and planting sited along each neighbouring boundary.

Proposal

This application seeks permission for the erection of a two storey rear extension and a single storey front extension.

Background

This application is a resubmission of an earlier scheme approved under 18/00198/FUL which now seeks to amend the roof design of the proposal from two rearward facing gables to one hipped roof design.

Assessment

Design and Appearance

The immediate area comprises of a variety of two storey and single storey detached dwellings with the host dwelling and neighbouring dwelling of 55 Woodberry Way being the only two which match in terms of design and scale. The adjacent dwelling has previously been extended with a two storey extension.

The proposed enlargements are of a size and scale which are appropriate to the existing house and will be constructed from materials which are consistent with the host dwelling. The proposal will be lower in height than the existing dwelling preventing it from over dominating the host dwelling and having an adverse impact to its existing character.

The application site is of a large enough size to facilitate a proposal of this size and scale and still retain sufficient private amenity space.

The proposed two storey extension will be sited to the rear of the host dwelling and therefore not publicly prominent.

The proposed front extension will be visible from Woodberry Way however as a result of its set back of 3m and as it will be constructed to a similar design to the host dwelling with materials which match the existing house it is considered that it would be inkeeping with the existing dwellings overall appearance and character.

As the proposed front extension will be of a single storey design which will not over dominate the host dwelling and will be finished in materials which match the existing house and as the proposed two storey enlargement will be to the rear and not publicly visible it is considered that this proposal would not have a harmful impact to the character of the area.

Highway Safety

The proposed front enlargement will encroach upon the existing hard surfaced area currently used for parking. Whilst the proposal will infringe upon the existing parking the front of the site the area of hardsurfacing at the front is of a large enough size to facilitate the proposal as well as retain two parking spaces in line with the Essex County Council Parking Standards.

Impact on Neighbours

The proposal will be visible to both neighbouring properties.

Whilst visible to 59 Woodberry Way sited to the south the proposed enlargements will be sited 7m from this neighbour and would not result in a significant loss of light or outlook to this neighbour. A new window is proposed along the side elevation at first floor which will serve a bedroom 4 and be obscure glazed preventing overlooking to this neighbour.

Due to its close proximity to the neighbouring site of 55 Woodberry Way the proposed two storey enlargement will result in a loss of outlook and light to this neighbouring dwelling.

The Essex Design Guide Sunlight/ Daylight calculations have been applied to the proposals amended design. The 45 degree line in elevation would cut through the neighbouring dwellings rear patio doors which serve an open plan sitting and kitchen area however in plan would only intercept the corner of this dwelling. As the combined plan and elevation are not intercepted this loss of light is not so significant to justify refusing planning permission. The neighbouring sites rear wall is set further back than that of the host dwelling meaning that the proposal will only protrude 1.5m beyond their rear wall which will reduce the loss of outlook experienced. The proposal will also be sited 1m from this neighbours boundary. As a result of the aforementioned reasons it is considered that the loss of outlook and light in this case would not be sufficient grounds to refuse planning permission.

New windows will be placed along the rear elevation at first floor level of the enlargements. The proposed rear windows are in place of existing first floor windows which will provide views from further down the garden from where they are currently situated meaning that the new windows would overlook onto less private areas of their neighbouring garden (i.e. not onto space immediately outside their rear elevation). It is therefore considered that there is no significant loss of privacy in this instance.

The front enlargement would not result in a loss of neighbouring amenities to the adjacent sites.

Other Considerations

Frinton and Walton Town Council recommend approval for the application

One letter of objection has been received on the proposals amended design from 55 Woodberry Way. One was received commenting on the original scheme and another responding. The material planning considerations can be summarised below;

- Loss of light to garden
- Loss of light to house

The sunlight and Daylight calculations have been applied once more to the proposal and it has been concluded that whilst the proposal will result in a loss of light that this would not be so significant as to justify refusing planning permission.

Conclusion

In the absence of material harm resulting from the proposal 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; YWW-01 Revision F.

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.