

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	29/08/2018
Planning Development Manager authorisation:	SCE	31.08.18
Admin checks / despatch completed	WAL	31/08/18

Application: 18/01088/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Brian Bacon

Address: 50 Elm Tree Avenue Frinton On Sea Essex

Development: Erection of single storey rear extension, conversion of garage to new entrance hall and internal reconfiguration of walls.

1. Town / Parish Council

Frinton & Walton Town Council Recommends refusal

2. Consultation Responses

n/a

3. Planning History

02/02028/FUL	Two storey rear extension and minor internal alterations	Approved	06.12.2002
18/01088/FUL	Erection of single storey rear extension, conversion of garage to new entrance hall, new door to south elevation, internal reconfiguration of walls.	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
HG9 Private Amenity Space

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

Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies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)

Site Description

The application site is west facing and situated within the development boundary of Frinton on Sea. The main property is a detached bungalow finished in red brick and painted render under a tiled roof. In front of the house concrete hardstanding allows for off road car parking and is enclosed by fencing at the front and sides with some small trees and shrubs. A mainly grassed back garden is enclosed with fencing on all sides with large mature shrubs lining the boundaries.

Description of Proposal

The application proposes the erection of a rear extension which will then connect to the existing detached garage to create an entrance hall. The existing detached garage will be extended forward by 0.10 metres to allow for this alteration. The rear extension will measure a maximum of 2.4 metres in depth, 4.6 metres in width (reducing to 4.45 metres) with an overall height of 3.4 metres. The roof of the extension consists of a false pitch surrounding a flat roof. To the rear of the extension bi-fold doors will open onto the garden, while the north elevation will have a full length window allowing light into the new room. The front garage door will be replaced with an entrance door and full length window. The extension will be finished using the same materials as the existing dwelling of brick, render and roof tiles. The original front door will be replaced, while two small windows will be inserted in each side of the existing porch and a new door will replace an existing window on the south side; these changes will not form part of the planning application as they are considered as permitted development.

Assessment

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

Design and Appearance

The alterations to the garage and the single storey rear extension will be barely visible from Elm Tree Avenue due its location a distance of 18 metres from the highway and its small scale when compared to the existing dwelling; therefore there will be no significant impact to the street scene. The use of matching materials will ensure that the extension does not look out of place and maintains the character of the existing dwelling and immediate area. The new entrance created at the front of the existing garage will not significantly alter the balance and appearance of the bungalow as the existing front porch and front door will remain although it will not be used as the main entrance.

Impact upon Residential Amenity

There will be no significant impact to either neighbour in terms of loss of light, overlooking or loss of privacy due to the position of the extension and the minimal projection at the front of the existing garage.

The existing single garage does not meet the required standard as per the Essex County Council Parking Standards where the internal dimensions of a single garage should measure 7 metres x 3 metres therefore the conversion of the garage will not have a significant impact on the off road parking provision. Following construction of the extension and conversion of the garage the existing driveway meets the car parking standards where one space measures 5.5 metres x 2.9 metres and which will allow at least two cars to park in tandem.

Over 400 square metres of private amenity space will remain following the construction of the proposal which is considered more than adequate.

Other Considerations

Frinton and Walton Town Council have recommended refusal of the application. They raise the following concerns:

- Insufficient information – no mention of additional window in north elevation or changes to east elevation.
- Is therapy room for personal use?

The full length window on the north side elevation is part of the rear extension. The changes to the eastern elevation show only the single storey rear extension. There are no other changes to the east elevation.

There is nothing to indicate that the therapy room will be used as a separate business. If the use of the room changes it may require planning permission.

No other letters of representation have 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: Drg No. 2178-CAL-00-ZZ-DR-A-0103 and 2178-CAL-00-ZZ-DR-A-0104

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