

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	13/09/2018
Planning Development Manager authorisation:	SCE	19.09.18
Admin checks / despatch completed	ER SB	20/09/18 20/09/18

**Application:** 18/00585/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr James Hide

**Address:** 76 Walden Way Frinton On Sea Essex

**Development:** Sub-division of existing property together with extensions and alterations to create a new 2 bed dwelling with associated access, parking and amenity space for the proposed (new access and parking for donor property)

### 1. Town / Parish Council

Frinton & Walton Town  
Council

Objects to this application.

### 2. Consultation Responses

ECC Highways Dept

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1 Prior to first occupation of the proposed development, the proposed vehicular access shall be constructed at right angles to the highway boundary and to a width of 3.7 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.  
Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2 No unbound materials shall be used in the surface treatment of either of the proposed vehicular accesses throughout.  
Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

3 All off street car parking shall be in precise accord with the details contained within the current Parking Standards being provided within the site which shall be maintained free from obstruction and retained thereafter.  
Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

4 Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants of both dwellings, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To promote the use of sustainable means of transport in accordance with Policy DM 1 and 9 of the Highway Authority's Development Management Policies February 2011.

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO1 - Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester  
CO4 9YQ

### 3. Planning History

02/02409/FUL	Proposed extension	Approved	05.02.2003
18/00585/FUL	Sub-division of existing property together with extensions and alterations to create a new 2 bed dwelling with associated access, parking and amenity space for the proposed (new access and parking for donor property)	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

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

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.

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 an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing deliver over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line the plan-led approach.

## **5. Officer Appraisal (including Site Description and Proposal)**

### **Site Description**

The application site is 76 Walden Way, single storey dwelling located within the development boundary of Frinton on Sea. The application site is located within a residential area comprising of one storey detached and semi-detached dwellings. The application site is located on a corner plot.

### **Description of Proposal**

The application seeks full planning permission for the sub division of existing property together with extensions and alterations to create a new two bed dwelling with associated access, parking and amenity space for the proposed including a new access and parking for donor property.

There are two elements to the extension; the first will measure 4.2 metres in depth, 6.6 metres in width with an overall height of 5 metres and it will accommodate the lounge and kitchen. The second element will measure 2 metres in depth, 3.4 metres in width with an overall height of 3.8 metres and it will accommodate a toilet and hall.

### **Assessment**

The main considerations are;

- Principle of Development;
- Design and Impact;
- Residential Amenities;
- Highway Safety;
- Representations.

### **Principle of Development**

The site is located within the Settlement Development Boundary (SDB) for Frinton -on-Sea, as established in the saved and draft local plans. Policy HG3 of the Tendring District Local Plan 2007 states that within defined development boundaries of towns and villages, residential development will be permitted provided it satisfies amenity, design, density, environmental, highway, local housing needs and sustainability criteria, as appropriate, and can take place without material harm to the character of the local area. The principle for residential development is therefore accepted subject to the detailed consideration below.

## Design and Impact

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The proposal is to <sup>alter</sup> sub-divide the existing dwelling from a three bedroom bungalow to a two bed bungalow with the addition of an extension to form a semidetached two bed bungalow. The proposal will be visible from the street scene of Walden Way however due to it being set back from the highway by approximately 6 metres, as well as the single storey nature of the proposal and the use of matching materials to those used within number 76 Walden Way, it will not cause any significant impact upon the street scene. There are other examples of semi detached dwellings along Walden Way and therefore the proposal is considered to be in keeping with the character of the area. The proposed subdivision of the existing dwelling is not considered to be excessive or overdevelopment of the site.

Policy HG9 of the Saved Tendring Local Plan 2007 states that private amenity space for a dwelling of two bedrooms or more should be a minimum of 75 square metres. The submitted plans demonstrate that the proposal and the existing dwelling do not achieve the policy requirements however the private amenity space proposed is usable and it is therefore considered acceptable due to its location.

## Residential Amenities

The proposed extension will not cause any impact upon the neighbouring dwelling to the north east as the proposal is positioned to the south westerly elevation.

Due to the application site being located on the corner plot, the proposal will be visible to number 22 and 24 Walton Road. However due to the rear elevation of the neighbouring dwellings being situated approximately 20 metres away from the application boundary as well as the single storey nature of the proposal, it is considered that the extension will not cause any significant impact and there will be no impact of overlooking or loss of light onto neighbouring amenities.

## Highway Safety

Essex County Council Highways have been consulted on this application and have no objections subject to the following conditions:

- Vehicular access provided prior to occupation;
- No unbound materials used in the first 6m of access
- Off street parking shall be in precise accord with Parking Standards
- Provision for storage of bicycles provided prior to occupation

The plans submitted demonstrate that the proposed dwellings can accommodate two parking spaces measuring 5.5 metres by 2.9 metres in line with Essex Parking Standards.

## Other Considerations

Frinton and Walton Town Council objects to this application as the proposal is out of keeping in the street scene, overdevelopment, too great a bulk and mass on this corner location.

The comments have been addressed within the report.

No letters of representation have been received for this application.

## Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

## **6. Recommendation**

Approval - Full

## **7. Conditions / Reasons for Refusal**

- 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 No. 1801.X/11, Drawing No.1801.X/10 and Drawing No. 1801.X/0B

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to first occupation of the proposed development, the proposed vehicular access shall be constructed at right angles to the highway boundary and to a width of 3.7 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety

- 4 No unbound materials shall be used in the surface treatment of either of the proposed vehicular accesses throughout.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety

- 5 All off street car parking shall be in precise accord with the details contained within the current Parking Standards being provided within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety

- 6 Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants of both dwellings, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To promote the use of sustainable means of transport

## **8. Informatives**

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

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#### Application Approved Following Revisions

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.

<b>Are there any letters to be sent to applicant / agent with the decision?</b> <b>If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision?</b> <b>If so, please specify:</b>	YES	NO