

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	02/10/2018
Planning Development Manager authorisation:	SCE	03.10.18
Admin checks / despatch completed	AP	3/10/18

WHE

Application: 18/01191/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Ms Eleanor Vonne Brown

Address: 28 Newgate Street Walton On The Naze Essex

Development: Alterations to the rear - including the creation of a balcony with timber fence screening to the first floor flat, and a covered area at ground floor level featuring a glazed sloped roof.

1. Town / Parish Council

Frinton & Walton Town Council Approved

2. Consultation Responses

ECC Highways Dept The Highway Authority does not object to the proposals as submitted.

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 or by post to:

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

3. Planning History

08/01072/FUL To upgrade existing extraction system from roof fan to supply of ductwork to extend to roof level. Approved

18/30094/PREAPP Proposed renovation of exterior - new double glazed windows & doors to match existing, roof finish to match existing & paint to exterior 22.06.2018

	walls. Renovation of first floor flat. Renovation of ground floor unit. Change of use of ground floor front space from A3 to A1, with rear space at ground floor remaining as A3 use.	
18/01191/FUL	Alterations to the rear - including the creation of a balcony with timber fence screening to the first floor flat, and a covered area at ground floor level featuring a glazed sloped roof.	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

EN17 Conservation Areas

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

SPL3 Sustainable Design

PPL8 Conservation Areas

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 28 Newgate Street, Walton on The Naze, which is a terraced property comprising of a restaurant (A3) to the ground floor and a two bedroom flat to the first floor. The application site is located within Frinton and Walton Conservation area, Walton Town Centre Boundary and an Urban Regeneration Area.

Proposal

The application seeks planning permission for alterations to the rear of the building including the creation of a balcony with timber fence screening to the first floor flat, a covered area at ground floor level featuring a glazed sloped area and roof light.

Assessment

The main considerations for the application are the design and appearance, impact upon neighbouring amenities and heritage impact.

Design and Appearance

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 proposed balcony and 1.8 metre screen (slopes down to 1.1 metres in height to the edge of the balcony) will be located to the rear of the first floor flat. The proposed door which will replace the existing window to the first floor will facilitate the introduction of the balcony and the screening. The rear elevation will also be enclosed by timber slatted screening which will have a height of 1.1 metres. As the proposal is located to the rear of the flat, there will be no impact upon Newgate Street. It is considered that the use of timber slatted fence screening is acceptable in terms of design and the location of the proposal.

The proposed glazed sloped roof will be located to the rear of the flat and therefore it will not be visible from Newgate Street. The proposal is replacing a section of the flat roof to the ground floor and due to it being a minor addition and a visual improvement it is not considered to cause any significant impact upon the street scene.

The proposed roof light to the first floor balcony will be located to the rear and it will serve the flat therefore not causing any impact upon the street scene. Due to the position of the proposal it is considered that there will not be any material harm upon Newgate Street.

Impact upon neighbouring amenities

The proposed timber slatted fencing is not considered to cause any significant impact upon the neighbouring property to the North West as part of the balcony will be screened by the glazed roofing. Views will be possible of the proposal from the public house 'The Victory', however it is considered that the screening will have a neutral impact upon the neighbouring amenities.

The proposed glazed sloped roof will not be visible to the public house 'The Victory'; however it will be visible to the neighbouring property number 32. Due the neighbouring property not having any

side elevation windows, the proposal is not considered to cause any significant impact upon neighbouring amenities.

The proposed rooflight will not cause any impact upon the neighbouring amenities, due to the position of the proposal to the first floor flat. The proposal is high level meaning that it is for light purposes only and it will not cause any overlooking to the neighbouring amenities.

Heritage Impact

Policy EN17 of the Tendring District Local Plan 2007 and Policy PPL8 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) state that development within a Conservation Area must preserve or enhance the special character or appearance of the Conservation Area.

The application site lies within Frinton and Walton Conservation Area, a heritage statement has been provided to justify how the proposal will either preserve or enhance the area. It is considered that the impact of the proposal on the Conservation Area will be minimal due to the changes being located to the rear of the property; it is considered that the proposals will not cause any harmful impact upon the character or appearance of the Conservation area.

Other considerations

Walton and Frinton Parish Council have not commented on this application.

No letters of representation have been received.

Conclusion

In the absence of significant material harm as a result of the development, this 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 and documents: Drawing No. 1025/03/0200 P3, Drawing No. 1025/03/0500 P3, Drawing No. 1025/03/0501 P3 and Design & Access Statement & Heritage Statement dated July 2018.

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.

Highways

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CO4 9YQ

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