

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	PW	10/10/18
Planning Development Manager authorisation:	SCE	10.10.18
Admin checks / despatch completed	AP	10/10/18

AP

Application: 18/01346/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr & Mrs Sanderson

Address: 15 Beatrice Road Walton On The Naze Essex

Development: Proposed alterations and extensions to form attached annexe.

1. Town / Parish Council

Frinton and Walton Town Council REFUSAL - overdevelopment of the site, against a separate dwelling and such a long brick wall interferes with the neighbours visual amenity.

2. Consultation Responses

n/a

3. Planning History

06/01618/FUL	Single storey rear extension.	Approved	17.11.2006
18/01346/FUL	Proposed alterations and extensions to form attached annexe.	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

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

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is on the north side of Beatrice Road. The site comprises a detached single storey dwelling, with detached garage to the side and rear. The bungalow is finished in painted render, with concrete tiles to the roof. The site is within the Development Boundary of Walton On The Naze.

Proposal

This application seeks planning permission for a side and rear extension to the existing garage (connecting it to the main dwelling), and its conversion into an annexe. The overall depth of the proposal will be 10.35m, and its width will be 4.469m. It will extend 4.65m beyond the existing rear wall of the garage, and have an overall height of 4.2m. The eaves height will be 2.45m.

The proposal will be finished in materials which match the host dwelling.

Appraisal

The main considerations of this application are the visual impact, impact on neighbours and private amenity space.

Visual Impact

The proposal is sited to the side of the house and will be visible from the highway. However, due to its set back from the front of the site and the front of the dwelling, it will not be overly prominent in the street scene. The overall height is lower than the host dwelling, so the garage will remain subservient, and the roof style and external materials are consistent with the character of the site and surrounding area.

Impact on Neighbours

The proposal is sited at the boundary with the western neighbour - 11 Beatrice Road. The 45 degree sunlight daylight test shows that the rear windows of the neighbouring dwelling are already obscured in plan by the existing garage, and that the enlargement will not increase the impact on the affected windows. As the eaves height will remain the same, there will be no change to the overshadowing zone in section. The impact on the western neighbour's daylight and outlook will not be so significantly impacted as to warrant refusal of planning permission. No west facing windows are proposed that will affect this neighbour's privacy.

The proposal is sited away from the boundaries with other adjacent properties, and due to its single storey nature there will be no impact on neighbouring privacy, outlook or daylight.

Private Amenity Space

Policy HG9 of the Local Plan requires that new dwellings with 3 or more bedrooms be provided with at least 100 square meters of private amenity space. Following the erection of the proposal, 102 square metres will be retained in the back garden - which satisfies this policy.

Other Considerations

Frinton and Walton Town Council object to the application for the following reasons:

- Overdevelopment of the site
 - Adequate private amenity space is retained to the rear of the property, and parking to the front of the property remains unchanged.
- Against a separate dwelling
 - Planning permission is only being sought for annexe accommodation, to be used for purposes ancillary to the main dwelling.
- Impact on adjacent neighbour's amenity.
 - The impact on neighbouring amenities has been addressed above.

No other letters of representation have been received.

Conclusion

In the absence of material harm as a result of the proposed development, this 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: Drawing no. TDC-0818-01 revision B.

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.

The annex shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as '15 Beatrice Road, Walton On The Naze'.

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