

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	16/10/2018
Planning Development Manager authorisation:	AN	18/10/18
Admin checks / despatch completed	AN	23/10/18

**Application:** 18/01514/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr and Mrs Skipper

**Address:** Wayside 75 Walton Road Kirby Le Soken

**Development:** Single storey rear extension.

### 1. Town / Parish Council

Frinton and Walton Town Council Approval

### 2. Consultation Responses

Not applicable.

### 3. Planning History

99/00478/FUL	Single storey rear extension	Approved	17.05.1999
10/60094/HOUEN Q	Erection of conservatory		16.08.2010
18/01514/FUL	Single 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  
HG14 Side Isolation

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

### Application Site

The application site comprises of a south facing detached dwelling known as "Wayside." The dwelling is set back from the front of the site with an area for parking to the front. Sited to the rear is an existing garden area with outbuilding.

### Proposal

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

### Assessment

#### Design and Appearance

The proposal will be sited to the rear and not publicly visible.

The proposed extension is of a single storey size which is appropriate to the host dwelling.

The extension comprises of two rear gable facing components which do not match the existing hipped roof design of the existing house. Whilst the overall design is not inkeeping with that of the existing house the proposed extension will be sited to the rear and screened from public view by the host dwelling preventing it from having a harmful impact to the appearance and character of the dwelling and area.

The existing house has been finished in blue render and the proposed extension will be finished in hardi plank in a colour to match the render on the existing house. Whilst the use of hardi plank is not inkeeping with the host dwelling the proposal will be sited to the rear and not publicly visible and therefore the use of this material would not have a harmful impact to the character and appearance of the dwelling and area.

The site is of a large enough size to accommodate the proposal and still retain sufficient private amenity space.

#### Impact to Neighbours

The proposal will result in a loss of light to each of the neighbours and therefore the calculations specified within the Essex Design Guide have been applied. The 45 degree line in plan would encompass rear windows sited on both of the neighbours rear elevations however in elevation would only just intercept the lower corners of the neighbouring dwellings. It is therefore considered that the loss of light is not so significant to justify refusing planning permission.

The proposal has no windows sited along each of the side walls facing into the neighbouring properties however the plans do show two new roof lights. As these will be sited 3m above ground level it is considered that there would be no significant loss of privacy to these neighbours resulting from these openings.

There is an obscure glazed side window sited on 73 Walton Road sited to the east of the site which currently looks onto the existing dwelling and boundary treatment. This window will receive a reduced loss of privacy and light on completion of the proposal however as this window already receives little light and outlook this reason would not be so significant to refuse planning permission upon.

The proposal will result in a loss of outlook to the neighbours due to its close proximity to the boundary. The proposed extension will be sited 0.5m from the boundary to the east and 1.5m from the boundary to the west. The site boundaries currently comprise of planting and fencing which will screen the majority of the proposal, and the new extension will have a low eaves height of 2.7m which would reduce the level of outlook lost to the neighbouring properties. As a result of the aforementioned reasons it is considered that the level of outlook lost in this instance is not so significant to refuse planning permission upon.

The proposal is within 1m to the boundary and over 4m in the height which therefore is contrary to Saved Policy HG14 of the Adopted Local Plan 2007. The aforementioned report identifies the level of impact which the proposal would have on the neighbours and concludes that this level of impact in this instance would not be so significant to justify refusing planning permission.

#### Other Considerations

Frinton and Walton Town Council recommend the application for approval.

No further letters of representation have been received,

#### Conclusion

In the absence of 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: SWR-02 Revision A.

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.