

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	19/11/18
Planning Development Manager authorisation:	AN	19/11/18
Admin checks / despatch completed	AN	19/11/18

**Application:** 18/01542/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr M Bradford

**Address:** 7 Marina Mews Walton On The Naze Essex

**Development:** Proposed rear extension to form utility & shower rooms. New window and rendered wall to replace garage door.

### 1. Town / Parish Council

Frinton and Walton Town Council      Approval

### 2. Consultation Responses

Not Applicable

### 3. Planning History

18/01542/FUL      Proposed rear extension to form utility & shower rooms.      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

QL3 Minimising and Managing Flood Risk

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

### **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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 relates to 7 Marina Mews, which is a terraced dwelling linked by single storey garages. The application site is located within Flood zone 3, within an urban regeneration area and located within the settlement development boundary of Walton on the Naze.

### **Proposal**

This application seeks permission for the erection of a single storey rear extension which will measure 2.4 metres in width, 4.7 metres in depth with an overall height of 2.9 metres. To the front elevation, a new window and rendered wall is to replace the existing garage door.

### **Assessment**

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

### **Design and appearance**

The single storey rear extension comprises of a flat roof constructed from rendering and brown UPVC to match the host dwelling and flat grey roof membrane. The proposed extension will be sited to the rear of the host dwelling and therefore it will not be visible to the street scene of Marina Mews. The detailed design and scale of the extension is acceptable in relation to the host property and would result in no material harm to visual amenity. The site is of a large enough size to accommodate the proposal and still retain sufficient private amenity space.

The proposed window and rendering to the front elevation to replace the existing garage door will be in keeping with the host dwelling and the character of the area. Therefore, it is considered that due to the use of matching materials, the proposal is not considered to cause a significant impact upon the street scene of Marina Mews.

#### Impact to Neighbours

The proposed extension will be sited 0.5m from the boundary to the north east and 4.5m from the boundary to the south west. Due to the single storey nature of the proposal with a flat roof and the close proximity to the boundary to the North West, the proposal has the potential to 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 the rear windows sited on the neighbour's rear elevation however in elevation, it would only just intercept the lower corners of the neighbouring dwelling. It is therefore considered that the loss of light is not so significant to justify refusing planning permission. The proposed extension does not comprise of windows along the side elevation and therefore there will be no impact of overlooking onto neighbouring amenities. Due to the single storey nature of the proposal and the fence along both neighbouring boundaries which will help to screen the extension, it is therefore considered that the proposed rear extension will not cause any significant impact upon neighbouring amenities.

The proposed new window and rendered wall to the front elevation of the host dwelling will be visible to the neighbouring dwellings along Marina Mews, however due to the minor nature of the change and the fact that it will be in keeping with the character of the dwelling, it is considered that the proposal will not cause any significant impact upon neighbouring amenities.

#### Flood Risk

The site is located within Flood Zone 3. A Flood Risk Assessment detailing flood mitigation measures to be used in the construction of the rear extension has been provided, in line with Environment Agency's standing advice. Following the submission of these mitigation measures; electrical outlets will be raised to 1.350 mm above the finished floor level, waterproof cement, sand render and cementation boards will be incorporated within the plastering specification, closed cell insulation will be used within the floor construction, preserved softwood will be used within the studwork and rigid plastic architrave and skirting's will be used. It is therefore considered that the proposal is acceptable.

#### Highways

The proposal will result in the loss of a garage door however it is considered that there is ample parking provided to the front of the host dwelling as well as the application site being situated within a sustainable location. The proposal is therefore acceptable in terms of highway safety.

#### 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 / 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 document: Drawing No. TDC-0918-1-101 Revision A, TDC - 0918-1-102 Revision A and Flood Risk Assessment.

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.

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