

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	22/11/2018
Planning Development Manager authorisation:	SCE	23-11-18
Admin checks / despatch completed	LN SB	23/11/18 23/11/18

Application: 18/01666/FUL **Town / Parish:** Frinton & Walton Town Council
Applicant: Mr and Mrs McAuley
Address: 1 Stallards Crescent Kirby Cross Frinton On Sea
Development Single storey rear extension.

1. Town / Parish Council

Frinton and Walton Town Council Recommends approval.

2. Consultation Responses

N/A

3. Planning History

18/01666/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
 HG9 Private Amenity Space

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 located to the north east of Stallards Crescent, inside the development boundary of Frinton on Sea. It serves a detached dwelling constructed of brick with a tile roof. The front of the site has off street parking for at least 2 no. cars and a detached double garage forward of the dwelling. The rear of the site is laid to lawn with a small patio adjacent to the rear and side elevations of the dwelling. Close boarded fencing, 1.8m in height, is located on the side and rear boundaries. A small outbuilding is located to the rear of the garden and a shed exists between the dwelling and the west side boundary.

Proposal

The application proposes a single storey rear extension. It will measure 6.2m wide and project 4m from the rear elevation of the dwelling, but will wrap around the west side elevation giving a maximum depth of 5.2m. The extension will have a flat roof with maximum height of 2.9m; the proposed roof lantern will give an overall height of 3.4m. It will be constructed of painted render and brickwork to match the existing dwelling.

Assessment

The main considerations of this application are the design and impact on residential amenity.

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Design

The proposed extension is of a scale and nature appropriate to the site and surrounding area. The extension is located to the rear of the property so there will be limited views possible from the street scene. Furthermore, the elevations proposing the use of brickwork to match the existing dwelling will blend with the host dwelling; the use of render on two of the elevations facing into the rear garden will contrast acceptably with the host dwelling and break up the appearance of the dwelling.

The development is considered to be a modest flat roof rear extension that is acceptable in design terms.

Impact on Residential Amenity

The extension will be located 8m from the southeast side boundary and 9m from the rear boundary so the development is not considered to impact upon these neighbouring properties. The proposed extension will be located only 0.15m from the boundary shared with the neighbour to the northwest. This neighbour has a covered car port directly adjacent to this side boundary and the dwelling itself is located approximately 3m from the boundary. The proposed extension is 2.9m in height. Due to the modest nature of development, the separation between the development and

this neighbouring property and as no windows are proposed in the side elevation facing this neighbour, the development is not considered to have any significant adverse impact on the amenities currently enjoyed by this neighbour. Furthermore, the rear garden of the application site is north facing so there is not considered to be any significant impact in terms of loss of daylight/sunlight.

Adequate private amenity space will be retained for the occupiers of the property in accordance with Policy HG9.

Other Considerations

Parking at the site will remain unaltered.

Frinton and Walton Town Council recommend approval for the application.

No letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any 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 plan: Drawing No. MSC-01 Revision A received 25 October 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.

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