

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	PW	20/12/18
Planning Development Manager authorisation:	SCE	21.12.18
Admin checks / despatch completed	SR SB	21/12/18 21/12/18

Application: 18/01831/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr & Mrs Greeno

Address: 3 Warley Way Frinton On Sea Essex

Development: Proposed garage conversion and single storey front extension with two glazed roof lights and oak canopy.

1. Town / Parish Council

Frinton and Walton Town Council Approval

2. Consultation Responses

n/a

3. Planning History

14/00885/FUL	Proposed single storey rear extension and alterations to the loft including 4 no. velux windows and one dormer following demolition of existing conservatory and removal of 2 no. chimney stacks.	Approved	18.08.2014
18/01831/FUL	Proposed garage conversion and single storey front extension with two glazed roof lights and oak canopy.	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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks planning permission for front extension to the attached garage with additional porch and the conversion of the garage to additional living space, to a dwelling within the development boundary and adjacent to a conservation area.

Design and Impact on the Conservation Area

The proposed extension and porch are set back from the front boundary of the site, so will not be overly prominent in the street scene. The garage extension and conversion relates well to the host dwelling, and is an appropriate size and scale. The front porch is a minor addition which mirrors the angle of the roof of the main dwelling. The use of matching materials ensures the proposal is in keeping with the character of the dwelling. The proposal is considered to preserve the character of the conservation area.

Impact on Neighbours

The proposed garage extension is set back and single storey, and will not adversely affect the neighbouring property. The 45 degree daylight/sunlight test shows the neighbour's window to be obscured in section but not plan - so there will be no significant impact on neighbour daylight or outlook. One side facing window is proposed to the converted garage - however because this is at ground floor level and only serves a bedroom it will not adversely impact neighbouring privacy.

Other Considerations

Frinton and Walton Town Council recommend the application for approval.

A letter of objection has been received from the neighbour closest to the proposal - 5 Warley Way, raising the following concerns:

- Loss of light and outlook
 - The impact on neighbouring windows has been assessed above, and due to the setback of the proposed works, there will be no significant impact with regards to daylight and outlook.
- Asbestos roof to be removed
 - Possible works to remove asbestos are not a material planning consideration.
- Impact of construction traffic
 - The impact of construction traffic relating to this scale of development is not considered to be significant enough to warrant control by a planning condition.

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. 01 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.