

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	20/12/2018
Planning Development Manager authorisation:	SCE	02.01.19
Admin checks / despatch completed	AP	21/1/19

Handwritten initials

Application: 18/01902/FUL **Town / Parish:** Frinton & Walton Town Council
Applicant: Mrs Eastmond
Address: 22 Upper Second Avenue Frinton On Sea Essex
Development: Proposed single storey rear extension.

1. Town / Parish Council

Frinton and Walton Town Council Approval

2. Consultation Responses

Not applicable

3. Planning History

18/01902/FUL Proposed 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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Proposal

This application seeks permission for the erection of a single storey rear extension to a detached dwelling within the development boundary of Frinton on Sea.

Assessment

Design and Appearance

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

The proposed extension is of a size and design which is appropriate to the existing dwelling and will be constructed from materials which match the existing house.

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

The proposal would therefore not result in a harmful visual impact to the appearance and character of the dwelling or area.

Impact on Neighbours

The proposal will be visible to each neighbouring property however as a result of its low eaves height, distance from the boundary and partial screening by way of existing boundary fencing would not result in a significant loss of outlook or light to the neighbouring properties.

The proposal also incorporates two new openings, one to each side elevation, which will face onto the neighbours rear gardens resulting in a loss of privacy to these neighbours. The highest part of the windows will measure 2.5m above ground level. These windows will serve the new dining room and will be predominantly screened by the boundary fencing currently in situ which could be further increased to 2m in height under permitted development. It is therefore considered that the level of privacy lost in this instance is not so significant to refuse planning permission upon.

Other Considerations

Frinton and Walton Town Council recommend approval for the application. No further letters of representation have been received.

Conclusion

In the absence of material harm resulting from the proposed 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: 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.