


DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	PW	11/01/19
Planning Development Manager authorisation:	SCE	11-01-19
Admin checks / despatch completed	 SB	11/01/19. 11/01/19.

Application: 18/01853/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr & Mrs J Mountain

Address: 39 Second Avenue Frinton On Sea Essex

Development Alterations and additions, incorporating: enlargement of the garage to create annex accommodation, alterations to the side porch, single storey rear extension with roof lights, and loft conversion with front dormer windows.

1. Town / Parish Council

**Frinton and Walton
Town Council** Approval

2. Consultation Responses

n/a

3. Planning History

11/00127/TCA	1 No. conifer - reduce overhang to No. 35 by 6-8 ft.	Approved	28.02.2011
11/00354/TCA	2 No. Trees (unknown species) - rear garden - fell	Approved	19.04.2011
15/01378/TCA	1 No. Cedar - fell	Approved	06.10.2015
15/01483/TCA	1 Pine, 2 Macrocarpa, 1 Cedar(Larch), 2 Cryptomaria - fell	Approved	27.10.2015
18/01853/FUL	Alterations and additions, incorporating: enlargement of the garage to create annex accommodation, alterations to the side porch, single storey rear extension with roof lights, and loft conversion with front dormer windows.	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

FW5 'The Avenues' Area of Special Character

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

SPL3 Sustainable Design

PPL8 Conservation Areas

PPL11 The Avenues Area of Special Character, Frinton-On-Sea

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 alterations and additions to a dwelling and detached garage within the development boundary, the Frinton and Walton Conservation Area and the Avenues Area of Special Character. The proposed work incorporates: enlargement of the garage to create annex accommodation, alterations to the side porch, single storey rear extension with roof lights, and loft conversion with front dormer windows. A rear dormer is also shown on the plans, but is permitted development so has not been considered.

Design and Impact on the Conservation Area and Area of Special Character

The proposed work to the garage will create annex accommodation to the rear and at first floor level. The design of the garage relates well to the host dwelling and surroundings, and is in keeping with the character of the conservation area. The addition of a pitched roof improves the appearance of the side porch, and is more in keeping with the host dwelling. The rear extension is to the rear of the proposed and will be largely screened from public view - however, it is of a size, scale and design which are in keeping with the host dwelling. The dormers to the front are small additions to the roof slope, and are in keeping with similar properties nearby. The proposal is therefore considered to preserve the character of the Conservation Area and Avenues Area of Special Character.

Impact on Neighbours

The proposed rear extension and porch are separated from the boundaries of the property with neighbouring dwellings, and will not impact neighbouring amenities. The front dormers will not result in any overlooking into private space. The addition to the roof of the garage to create first floor accommodation will not have a significant impact on the southern neighbour due to the separation provided by the neighbour's garage at this boundary. No side facing windows are proposed in the annex accommodation.

Other Considerations

Frinton and Walton Town Council recommend the application for approval.

No other letters of representation have been received.

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's. MSA-02 Revision B, MSA-03 Revision B and MSA-04 Revision C.

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.

The annexe shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as '39 Second Avenue, Frinton on Sea'.

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