

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	PW	17/1/19
Planning Development Manager authorisation:	SCE	18.01.19
Admin checks / despatch completed	PW SB	18/1/19 18/01/19.

**Application:** 18/01695/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr & Mrs D Byles

**Address:** 25 Beaumont Close Walton On The Naze Essex

**Development:** Single storey side infill extension. First floor side extension over garage. Side porch.

### 1. Town / Parish Council

**Frinton and Walton Town Council** APPROVAL

### 2. Consultation Responses

n/a

### 3. Planning History

15/00287/FUL	Proposed two storey rear extension.	Approved	16.04.2015
18/01695/FUL	Single storey side infill extension. First floor side extension over garage. Side porch.	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

HG14 Side Isolation

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

SPL3 Sustainable Design

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 extensions and alterations to a detached dwelling within the development boundary of Frinton on Sea.

The proposed work comprises:

- a single storey extension to infill the gap between the rear of the garage and host dwelling;
- first floor side extension above the attached garage; and
- side porch.

Additional alterations are shown on the submitted plans which are permitted development and so haven't been considered as part of this application:

- conversion of the attached garage to create an annexe;
- relocation of the front door and erection of a canopy above it;
- cladding to the first floor of the front gable.

### Design

The proposed first floor side extension and side porch are set back from the front of the dwelling, and neighbouring properties will screen the proposal when viewed from further along Beaumont Close. The step in the side elevation, to bring the first floor element away from the boundary, appears contrived to satisfy policy HG 14 and isn't in keeping with the design of the dwelling or other nearby properties. However, as it will not be overly prominent in the street scene there is not significant harm to warrant refusal of planning permission. Likewise, the side porch doesn't add value in design terms – but will not be overly prominent.

The single storey infill extension will not be visible in the street scene, and is a minor addition which is appropriate to the host dwelling.



The proposal represents an increase in bedrooms at the property from 4 to 6. Two standard sized parking spaces have been indicated on the amended block plan, which satisfy the requirements of Essex County Council's adopted parking standards.

#### Impact on Neighbours

The proposed development will protect neighbouring amenities. No side facing windows are proposed that will impact privacy, and the first floor addition is adequately separated from the neighbouring dwelling in order to avoid loss of daylight and outlook. The ground floor addition infills a gap that is separated from the boundaries - so will not impact neighbouring dwellings.

#### Other Considerations

Frinton and Walton Town Council recommends the application for approval.

One letter of representation has been received from the eastern neighbour, raising concerns about the party wall. The decision notice will contain a standard informative about the Party Wall Act - but otherwise, this is not a material planning consideration.

#### Conclusion

Although some harm has been identified regarding the design of the first floor element of the proposal, on balance the harm is not considered to be significant enough to warrant refusal of planning permission. Therefore, 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 D.

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 annex shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as '25 Beaumont Close, Walton on the Naze'.

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