

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	PW	29/01/2019
Planning Development Manager authorisation:	SCE	30.01.19
Admin checks / despatch completed	AP	30/1/19

File

Application: 18/02002/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr and Mrs Cocker

Address: 12 Pinewood Close Kirby Cross Frinton On Sea

Development: Proposed first floor extension.

1. Town / Parish Council

Frinton and Walton Town Council Approval

2. Consultation Responses

n/a

3. Planning History

18/02002/FUL Proposed first floor 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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Design & Visual Impact

The proposed extension is to the rear of the property, and although it will be publicly visible (particularly from Lushington Avenue) it will not appear overly prominent. The property is central in a group of three matching houses, so the proposed extension will be set back when viewed directly from either side. The overall design relates well to the host dwelling, and adequate private amenity space is retained to the rear of the property. The first floor extension is no closer to the side boundary of the site than the existing two storey dwelling - so side isolation between properties will be unaffected.

Impact on Neighbours

The proposed extension is separated from the side boundaries of the site by 1m, and from neighbouring dwellings by a further metre. The 45 degree daylight/sunlight test shows that there will be no significant impact on neighbouring outlook or daylight as a result of the proposal. Rear facing windows at first floor and roof level will have no greater impact on neighbouring privacy than existing first floor rear windows, offering only oblique views into neighbouring gardens, and no side facing windows are proposed.

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. CPC-01.

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:	NO
Are there any third parties to be informed of the decision? If so, please specify:	NO