

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	28/01/2019
Planning Development Manager authorisation:	SCE	31.01.19
Admin checks / despatch completed	SB	04/02/19

**Application:** 18/02054/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr and Mrs S Brown

**Address:** 9 Pysand Kirby Le Soken Frinton On Sea

**Development:** Proposed bay windows to front elevation.

### **1. Town / Parish Council**

Frinton and Walton Town Council Approval.

### **2. Consultation Responses**

Not applicable

### **3. Planning History**

12/01408/FUL Single storey side and rear extension. Approved 30.01.2013

18/02054/FUL Proposed bay windows to front elevation. 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  
TR1A Development Affecting Highways  
TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)  
SPL3 Sustainable Design

Local Planning Guidance  
Essex County Council Car Parking Standards - Design and Good Practice

### **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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 front bay window to the front of a detached dwelling within the development boundary.

The design of the proposal has since been amended to incorporate a tiled roof as opposed to a glazed roof which was initially received. The depth of the projection has also been reduced.

### Assessment

#### Design and appearance

The proposal will be sited to the front and therefore publicly visible.

The new addition is of an appropriate size to the house and will be constructed from materials which match the existing dwelling.

The proposal will be set back from the front of the site by 16m which will reduce its prominence within the streetscene.

Whilst there are no other examples of bay windows within the immediate area other surrounding properties have previously extended to the side or the rear. It is also noted that the application dwelling is set further back on its plot compared to many of the other dwellings reducing the prominence of such a proposal.

Although the proposal will be a noticeable addition to the house which will change the character of the host dwelling the existing set back of the house together with the proposals minor nature and inkeeping design would not result in a harmful impact to the overall appearance and character of the existing dwelling and house.

#### Highway Safety

The proposal will encroach upon the land to the front however the front of the site is sufficiently sized to accommodate the proposal and retain appropriate room for the parking of two vehicles in line with the Essex County Council Parking Standards. The proposal would therefore not result in a harmful impact to highway safety.

### Impact to Neighbours

The proposal is a minor addition to the front of the house which due to its size and siting away from the neighbouring properties would not result in a loss of residential to amenities to the adjacent dwellings.

### 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: 1845/2 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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.