

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	05/02/2019
Planning Development Manager authorisation:	AN	7/2/19
Admin checks / despatch completed	WNE CDyer	08/02/19 08/02/19

Application: 18/02055/FUL **Town / Parish:** Frinton & Walton Town Council
Applicant: Mr and Mrs Cooper
Address: 20 Warley Way Frinton On Sea Essex
Development: Proposed dormer extension.

1. Town / Parish Council

Frinton and Walton Town Council Approval.

2. Consultation Responses

n/a

3. Planning History

04/02218/FUL	Removal of roof and replacement with rooms in roof	Approved	07.01.2005
91/00125/FUL	Proposed additions.	Approved	12.03.1991
08/01677/FUL	Amendment to planning application 04/02218/FUL. New rooms to loft and balcony overlooking the sea.	Approved	28.01.2009
18/02055/FUL	Proposed dormer 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

EN17 Conservation Areas

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

SPL3 Sustainable Design

PPL8 Conservation Areas

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 permission for one dormer on the north west roof slope of a chalet bungalow located within the settlement development boundary and conservation area of Frinton on Sea.

Design, Appearance and Conservation Area

Warley Way is made up of different styles of bungalow, many of which have been extended and altered over time. 20 Warley Way is at the end of the cul-de-sac, faces the sea and is constructed of brick with a pitched tiled roof. The proposed dormer on the north west roof slope will be finished in hanging tiles which will help it to blend in with the existing roof, it will have a flat roof and an obscure glazed window which will match the existing fenestration. Although the dormer will be publicly visible when travelling along Warley Way, it will not be visible from the Greensward where many visitors walk to admire the coastal views and therefore it will not cause any significant harm to the character of the immediate area or the existing dwelling.

The application site lies within the Frinton Park Conservation Area. The Conservation Area appraisal specifically describes Warley Way as *'a rather open road, with little in the way of street trees, and some incidental planting in front gardens: there is more of both kinds at the seaside end of the street. There is little distinction between the undistinguished bungalows on both sides of the road, the only difference being the Modern Movement house at the seaward end'*.

The design of the proposal is considered to be of a scale and nature that is appropriate and the proposal will preserve the character of the conservation area.

The applicant has submitted a Heritage Statement to support the application which states 'the proposed alterations have been sympathetically designed to preserve and enhance the existing property and materials proposed are in keeping with the buildings setting'. The statement concludes that the proposed dormer 'would not have an adverse visual impact on either the character of the conservation area or the original bungalow'.

Impact upon Residential Amenity

The small scale nature of the proposed dormer on the side elevation facing 18 Warley Way will have no significant impact in terms of loss of light, loss of privacy or outlook. The window of the dormer will be obscure glazed and serve a shower room.

The existing private amenity space and car parking provision are unaffected by the proposal.

Other Considerations

Frinton and Walton Town Council recommend approval of the application.

No further letters of representation have been received.

Conclusion

In the absence of material harm resulting from the 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: Drawing No CWW-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 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.

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

