

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	11/04/2019
Planning Development Manager authorisation:	SCE	12.04.19
Admin checks / despatch completed	SB	15/04/19

Application: 19/00271/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr and Mrs I Barnett

Address: Magnus Westbury Road Great Holland

Development: Proposed single storey front and side extension, replacement garage roof and alterations.

1. Town / Parish Council

Frinton and Walton Town Council Approval.

2. Consultation Responses

N/A

3. Planning History

19/00271/FUL Proposed single storey front and side extension, replacement garage roof and alterations. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Application Site

The application site is within the development boundary of Great Holland. It serves a detached two storey dwelling constructed of brick and tiled roof. The rear garden is laid to lawn, with a patio and close boarding fencing on the boundaries. The front of the site is partly laid to lawn and partly concrete leading to the garage for parking.

Proposal

This application seeks planning permission for a single storey front and side extension. The single storey front/side extension measures 8.5m deep by 10.2m wide, projecting beyond the side elevation of the existing property by 2.9m. The proposed hipped roof will have an eaves height of 1.2m, and a ridge height of 2.1m. The proposed materials will consist of cladding and roof tiles.

Assessment

The main considerations of this application are the design and the impact upon residential amenity.

Policy Considerations

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Design and Appearance

The proposal will be sited to the front and side and will therefore be publicly visible. Whilst publicly visible the proposal will be set back from the front of the site by 7.6m and as a result of its single

storey design and use of matching materials would not appear as a dominant feature within the streetscene. It is also important to note that where the proposal is to be situated this mostly already exists, with the front consisting of flat roof area protruding from the existing garage to the existing porch.

The proposal is of a size and scale appropriate to the existing dwelling and the surrounding area. Whilst the proposal will include materials that differ from the host dwelling, this in itself is not harmful and will clearly distinguish the extension from the main property. Further, the use of cladding is used within the streetscene.

It is therefore considered that as a result of the aforementioned reasons that the proposal would not result in an adverse impact to the appearance of the dwelling of character of the area.

Impact on Neighbours

Located to the north of the site is a detached dwelling known as Willow End Westbury Road. The single storey front/side extension is proposed to be 1m away and is hipped away from the side boundary shared with the neighbouring property Willow End. The eaves at the point at which the extension is closest to the neighbour only measures 1.2m. Furthermore, a flat roof garage is already in situ where the proposal is to be positioned, it is therefore considered that the proposal would not result in loss of neighbouring amenity to Willow End Westbury Road.

Located to the south of the site is a detached dwelling known as Tregolls Westbury Road. The side element of the proposal will not be visible to this neighbour as they will be screened by the existing dwelling. The front element of the proposal will be visible to this neighbour however as a result of its distance of 3.9m from the neighbouring boundary and partial screening by way of existing planting along the neighbouring boundary it is considered that the proposal would not result in loss of neighbouring amenity to Tregolls Westbury Road.

The proposal is therefore not considered to result in any significant adverse impact on the privacy, daylight and other amenities currently enjoyed by neighbouring property.

Other Considerations

Frinton and Walton Parish Council has no objections to the proposal.
No letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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 number 19/01/0021 Rev B.

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