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|--------------|---|----------|------------|
|              | points.   |          |            |
| 18/00310/TCA | 2 No. Damson trees, 1 No. pear tree - back garden - fell                        | Approved | 27.03.2018 |
| 18/01223/FUL | Proposed single storey rear/side extension (following demolition of extension). | Approved | 28.09.2018 |
| 19/00375/FUL | Proposed single storey rear/side extension (following demolition of extension). | 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

HG9 Private Amenity Space

EN17 Conservation Areas

FW5 'The Avenues' Area of Special Character

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

SPL3 Sustainable Design

PPL8 Conservation Areas

PPL11 The Avenues Area of Special Character, Frinton-On-Sea

#### **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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 single storey rear extension to a dwelling within the Frinton and Walton Conservation Area, 'The Avenues' Area of Special Character and the Development Boundary of Frinton On Sea. An application for a deeper rear extension was approved in September 2018. This proposal is a revision of that approved scheme.

### Design and Impact on the Conservation Area and Area of Special Character

The proposed extension is sited to the rear of the host dwelling, so will be largely screened from view of the highway. The extension will project beyond the side elevation of the host dwelling by 1.2m, but mature trees to the front of the site provide additional screening so the single storey extension will not be prominent in the street scene. The proposal is of a size and style which is in keeping with the character of the host dwelling and surrounding area and the use of matching materials will create a sense of cohesive development. The proposal will preserve the character of the conservation area and 'The Avenues' Area of Special Character.

Adequate private amenity space is retained to the rear of the property.

### Impact on Neighbours

The proposed extension is separated from the neighbouring property by 1.25m. The 45 degree sunlight/daylight test shows that there will be no significant impact on neighbouring daylight or outlook as a result of the proposal. As the proposal is only single storey, all windows are at ground floor level so will not impact neighbouring privacy.

### Other Considerations

Frinton and Walton Town Council recommend approval.

No other letters of representations 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. 01 Revision C.

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.

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