

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	08/05/2019
Planning Development Manager authorisation:	SCE	08.05.19
Admin checks / despatch completed	PW	9/5/19

Application: 19/00429/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Ms Jones

Address: 15 Greenway Frinton On Sea Essex

Development: Single storey rear extension.

1. Town / Parish Council

Frinton and Walton Town Council Approval

2. Consultation Responses

N/A

3. Planning History

19/00429/FUL Single storey rear 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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks planning permission for the erection of a single storey rear extension to a semi-detached dwelling within the development boundary.

Assessment

Design and Appearance

The site comprises of a two storey semi-detached dwelling with existing extension to the rear and side.

The proposal will be predominantly to the rear however due to its increase in height compared to that of the existing extension will be publicly visible. As the enlargement will be set back from the front of the site and partially screened by the existing extension it would not appear as a prominent or harmful feature within the streetscene.

The proposed extension will be built onto the existing enlargement at the house and as a result of its depth combined with the existing extension will appear as an incongruous addition when viewing the house from the rear. However, as these elements are to the rear, and not publicly visible, this would not result in a harmful impact to the existing dwellings overall appearance in the streetscene.

The proposal is of an appropriate size to the existing house and extension and will be finished in materials which are consistent with the application dwelling.

The proposal also includes a roof lantern which will be a new feature. Whilst this element will be to the rear small glimpses of it may be achieved through the spacing between dwellings. As it will be predominantly screened by the host dwelling and set back from the front of the site the introduction of such a feature would not have a harmful impact to the overall appearance and character of the existing dwelling.

The site is of a large enough size to accommodate the proposal and still retain sufficient private amenity space.

Impact on Neighbours

The proposal will result in a loss of light to each of the neighbours and therefore the sunlight/daylight calculations have been applied within the Essex Design Guide. The 45 degree lines in plan would intercept both of the neighbouring properties rear elevations however in elevation would not intercept these neighbouring properties at all. It is therefore considered the loss of light in this instance is not so significant the refuse planning permission upon.

The proposal will be noticeable to the neighbouring properties however as a result of its distance of a minimum of 2.5m from each of the neighbouring boundaries and partial screening by way of boundary fencing would not result in such a significant loss of outlook to refuse planning permission upon.

The neighbouring dwelling at 17 The Greenway has an existing window which looks onto the host dwellings existing extension and receives reduced light and outlook due to its existing positioning. The construction of the proposal will reduce this further however it is noted that as well as looking onto the existing extension at the application site that this neighbours window also is within close proximity to the boundary fence which reduces any light or outlook which could be received further. It is therefore considered that the loss of light and outlook to this window would be unreasonable grounds to refuse planning permission upon.

The proposal will not result in a loss of privacy to 11 Greenway as there are no new windows proposed along this side elevation.

A new window is to the side elevation facing 17 The Greenway however this window will be sited 2.5m away from the boundary and predominantly screened by the boundary fencing and it is considered that any overlooking resulting from this window would not be so significant to refuse planning permission upon.

Other Considerations

Frinton and Walton Town Council support 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: 1.2 Rev 00 and Plan1.1-B Rev 1.

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.