

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 two storey and single storey side and rear extensions to, and a detached garage to the front of, a detached dwelling within the Development Boundary of Frinton on Sea.

Design and Impact

The side element of the proposal will be two storeys, and will be a prominent addition to the dwelling. However, the hipped roof will meet the existing roof line and materials will match the host dwelling creating a sense of cohesive development. Adequate side isolation is retained, with a 1m separation from the boundary, satisfying policy HG14 - and the side extension is generally well related and in proportion to the host dwelling.

The single storey element to the rear will not be prominent, as it will be screened by the two storey side extension, and the design is appropriate.

The two storey rear extension will add considerable bulk to the Western side elevation of the property, and is a significant addition. However, the existing mature trees and hedging at the site, as well as the neighbouring dwelling, will all provide some screening and reduce the prominence of the extension. The ridge height is slightly lower than the host dwelling, and the matching materials ensure the extension will appear congruent. Adequate private amenity space is retained to the rear of the site. On balance, there will not be sufficient harm as a result of the proposed extensions to warrant refusal of planning permission on design grounds.

The proposed garage is modest in size, and will be largely screened by existing trees and hedging at the site boundary. The design is appropriate, and the presence of a garage to the front of the dwelling will not harm the street scene. Although the garage is not big enough to constitute a

vehicle parking space, two standard sized parking spaces are retained to the front of the dwelling, satisfying the adopted Parking Standards.

Impact on Neighbours

Due to the irregular building line along this section of Kirby Road, the two storey elements of the proposal do not extend beyond the rear elevations of the neighbouring dwellings. Furthermore, there is 3m separation between the proposal and neighbouring dwellings on each side, which means there will not be a significant impact on neighbouring daylight or outlook.

Proposed first floor side facing windows are obscure glazed, and in the case of the window serving a bedroom will be high level, so will not impact neighbouring privacy. A condition will be imposed requiring the obscure glazing to be retained in perpetuity.

The proposed rear facing windows at first floor will have no greater impact on neighbouring privacy than the existing rear windows. Ground floor windows will not allow overlooking due to the existing tall boundary treatments in place.

Other Considerations

Frinton and Walton Town Council approve of the application, but 'would like to see a window inserted on the north side of the proposed garage for aesthetics.' However, as the garage will not be overly prominent in the street scene by virtue of the mature hedging and trees at the boundary, this requirement is not necessary for the proposal to be acceptable in design terms.

No other letters of representation have been received.

Conclusion

In the absence of significant 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. OWR-02 Revision E.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 The proposed first floor windows to the side elevations shall be glazed in obscure glass (as indicated on the approved plans) prior to occupation, and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of neighbouring properties.

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