

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	08/07/19
Planning Development Manager authorisation:	AN	8/7/19
Admin checks / despatch completed	SB	09/07/19

ER

Application: 19/00714/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Andy Walsh - Pilgrims Friend Society

Address: Ernest Luff House Luff Way Walton On The Naze

Development: Proposed 2 storey extension.

1. Town / Parish Council

Frinton and Walton Town Council Recommend this application for approval.

2. Consultation Responses

Not Applicable

3. Planning History

91/01439/OUT	Nursing Home	Approved	18.02.1992
93/00121/DETAIL	(Land adjacent 2 Luff Way, Walton on the Naze) Construction of nursing home (details following outline planning permission TEN/91/1439)	Approved	30.03.1993
95/00254/FUL	(2 Luff Way, Walton on the Naze) Store	Approved	07.04.1995
95/00255/FUL	(4 Luff Way, Walton on the Naze) Entrance canopy	Approved	07.04.1995
97/01207/FUL	(2 Luff Way, Walton on Naze) Extension to care home including lift installation	Approved	03.11.1997
97/01208/FUL	(The Ernest Luff Homes, 2 Luff Way, Walton on Naze) Extension to nursing home	Approved	03.11.1997
98/00223/FUL	(The Ernest Luff Homes, 2 Luff Way, Walton on the Naze) Covered Way	Approved	20.03.1998
98/00459/FUL	(The Ernest Luff Homes, 2 Luff	Approved	18.05.1998

	Way, Walton on the Naze) Variation to TEN/97/1208 extension to nursing home with additional ground floor window		
05/01151/FUL	2 rear extensions.	Approved	23.08.2005
05/01748/FUL	Day centre for elderly	Refused	30.11.2005
06/00518/FUL	Day care centre.	Withdrawn	16.05.2006
06/01396/FUL	Day care centre	Approved	05.10.2006
11/00631/FUL	Extension to guest suite.	Approved	05.08.2011
12/00235/FUL	Proposed internal and external alterations to merge 20 suite care bedrooms (C2) into 8no. one bedrooms apartments for assisted living for the elderly (C3a).	Approved	02.05.2012
12/00721/FUL	Variation of condition 06 of planning permission 12/00235/FUL to vary the minimum age of tenants from 65 to 55 years of age.	Approved	17.08.2012
13/00152/DISCON	Discharge of condition 2 of planning permission 12/00235/FUL - Details of parking and deliveries - FOR INFORMATION ONLY.	Approved	15.03.2013
15/00384/FUL	Internal alterations, small extensions, partial demolition, alteration of windows, doors and fenestration to improve the home.	Approved	18.05.2015
17/01080/FUL	Construction of 12 almshouse-type one bed dwellings.	Approved	28.09.2017
18/00092/FUL	Construction of 4 almshouse-type one bed dwellings.	Refused	20.07.2018
18/00201/FUL	Erection of timber summer house in garden of care home.	Approved	10.04.2018
18/00335/FUL	Variation of conditions 5 (Landscaping), 9 (Drainage) & 10 (Materials) of approved planning application 17/01080/FUL, to allow the demolition of the existing building in advance of the submission of the details of Landscaping, Drainage and Building Materials, in relation to the construction of 12 almshouse-type	Approved	15.05.2018

	one bed dwellings.		
18/01265/FUL	Construction of 4 almshouse-type one bed dwellings.	Refused	25.09.2018
18/01306/DISCON	Discharge of conditions 4 (boundary treatment), 5 (landscaping) and 10 (materials) of 18/00335/FUL.	Approved	27.09.2018
18/01581/DISCON	Discharge of Condition 9) Drainage to approved planning application 18/00335/FUL.	Approved	07.01.2019

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

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) 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)

Site Description

The application site is located on the corner of Luff Way and Garden Road within the Parish of Walton on the Naze. The character of the surrounding area is relatively urban, with the remainder of the care home premises to the west and north, the Community Centre and Triangle Shopping Centre to the south and residential dwellings further out to all sides. The site falls within the Settlement Development Boundary for Frinton on Sea within both the Tendring District Local Plan 2007 and the Emerging Publication Draft (2017).

Proposal

The application seeks planning permission for the erection of a two-storey extension. The proposal will measure 7.4 metres in width, 3.4 metres in depth with an overall height of 7.1 metres. The extension will serve an extended lounge/dining room to the ground floor and an extended dining room to the first floor.

Assessment

The main considerations for this application are the design and appearance and the impact upon neighbouring amenities.

Design and Appearance

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed two storey extension will be situated to the eastern elevation of the building to the south of the application site. The proposal will be visible from the street scene; however the extension will be situated approximately 4 metres away from the highway of Luff Way. The proposal will be constructed of matching materials; buff facing bricks, concrete tiles and brown coloured painted/stained windows and doors to those used within the host building and it will have a ridge height set lower in order to clearly distinguish the proposal as an extension. Therefore it is considered that the proposal would not create a cramped appearance and is considered acceptable in terms of design.

Impact upon neighbouring amenities

The two-storey extension will not be visible or cause any impact to the neighbouring Veterinary Surgery to the west as the proposal is located to the eastern elevation of the building. The nearest building to the east is within the application site and the building is located approximately 11 metres away from the proposal. Due to the sufficient distance to the neighbouring building, it is considered that the proposed extension will not cause any impact upon neighbouring amenities.

Highway safety

The proposed extension serves an enlarged lounge/dining room and as the application form states that no additional staff will be employed, there will be no changes to the parking arrangements.

Other representations

Frinton and Walton Town Council recommend this application for approval.

No letters of representation have been received.

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 plan: Drawing No. A282:P:101, Drawing No. A382:P:105, Drawing No. A382:P:106, Drawing No. A382:P:107, Drawing No. A382:P:108, Drawing No. A382:P:109, Drawing No. A382:P:110 and Drawing No. A382:P:111

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