

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	09/07/2019
Planning Development Manager authorisation:	TF	15/07/2019
Admin checks / despatch completed	AP	15/7/19

Handwritten signature

Application: 19/00770/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mrs C Stokes

Address: 16 Temple Close Frinton On Sea Essex

Development: Demolish and rebuild garage and construct a single storey extension.

1. Town / Parish Council

Frinton and Walton Town Council Recommends approval

2. Consultation Responses

n/a

3. Planning History

19/00770/FUL Demolish and rebuild garage and construct a single storey 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

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design

Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

This application seeks permission for rebuilding the single garage and a single storey side extension to an existing semi-detached bungalow located within the settlement development boundary of Frinton on Sea

Design and Appearance

The rebuilt garage will reuse the exact footprint of the existing garage. The single storey side extension will replace the existing sun room while extending it rearwards to create a dining area. The new garage and side extension will be set back from the front elevation of the existing bungalow, with both elements being finished with brickwork that matches the bungalow and a flat roof. The height of the garage will remain as existing while the side extension will be finished to a height of 3.05 metres, just above the existing eaves height, however due to its limited view from the street scene the design and scale of the extension is acceptable in relation to the host property and would result in no material harm to visual amenity.

Impact upon Residential Amenity

The rebuilt garage will be sited up to the northern boundary shared with 18 Temple Close and holds the same position as the existing garage with no increase in height or depth. The side extension is a minimum distance of 2.3 metres from the same northern boundary with the mature planting, driveway and single garage of 18 Temple Close providing a degree of separation to the proposal and therefore there will be no significant impact to this neighbour in terms of loss of light, loss of privacy or outlook. Due to the distance from the proposal to the southern side boundary shared with 14 Temple Close there will be no significant impact to this neighbour.

The existing garage does not meet the current parking standards where the internal dimensions should measure 7 metres x 3 metres and therefore the rebuilt garage will also fail this standard. There will however be no change to the off road parking provision in front of the bungalow due to the position of the proposal at the side and rear of the bungalow. More than 250 square metres of private garden space remains following the construction of the proposal which is considered more than adequate.

Other Considerations

Frinton and Walton Town Council recommend approval of the application.

No further letters of representation have been received.

Conclusion

In the absence of material harm resulting from the 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 plan: STC-01

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