

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	18/07/2019
Planning Development Manager authorisation:	TF	07/08/2019
Admin checks / despatch completed	AP	7/8/19

Application: 19/00877/FUL **Town / Parish:** Frinton & Walton Town Council *ene*

Applicant: Mr M Dryk

Address: 38 Fifth Avenue Frinton On Sea Essex

Development: Single storey rear extension.

1. Town / Parish Council

Frinton and Walton Town Council Recommend Approval

2. Consultation Responses

Not applicable

3. Planning History

Not applicable

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The site comprises of a south facing detached dwelling with associated garage. The dwelling is located within the development boundary of Frinton on Sea.

Proposal

This application seeks planning permission for the erection of a single storey rear extension.

Assessment

Design and Appearance

The proposal will be sited predominantly to the rear however the proposal does incorporate an eaves height that is higher than that of the existing dwellings which will result in elements of the proposal being publicly visible from Fifth Avenue.

Whilst publicly visible the proposal will be set back from the front of the site and predominantly screened by the host dwelling which would prevent it from appearing as a prominent or harmful feature within the streetscene.

The proposal is of an appropriate size to the main dwelling and will appear as a subservient addition.

The new extension will be finished in brick to match the existing dwelling with a EPDM rubber flat roof with a roof lantern.

The height of the eaves, flat roof design, roof lantern and use of a rubber roof will not be completely consistent with the overall design of the main dwelling however as the proposal will be predominantly to the rear and screened by the host dwelling these inconsistencies would not appear prominently within the area and would not result in a harmful impact to the overall appearance of the dwelling and streetscene.

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

Impact on Neighbours

The host dwelling has an attached garage which will screen much of the proposal from the neighbouring site at 40 Fifth Avenue. Whilst small elements will be visible to this neighbour the new extension will be sited 4m from this neighbour's boundary and incorporate a flat roof design which would prevent it from resulting in a loss of residential amenities to this neighbour.

The site to the west is known as 36 Fifth Avenue which also has an attached garage positioned close on the boundary shared with the application dwelling. This neighbour's garage will predominantly screen the proposal preventing it from resulting in any significant loss of residential amenities to this neighbour.

Other Considerations

Frinton and Walton Town Council recommend approval for the application. No other 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 plan: Block Plan 1:500 received 19th June 2019 and Drawing titled "Existing and Proposed Floor Plans and Elevations" received 12th June 2019.

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.