

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	06/08/2019
Planning Development Manager authorisation:	TF	08/08/2019
Admin checks / despatch completed	ML	09/08/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	SB	09/08/19

Application: 19/00888/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mrs Yvonne Allen

Address: 91 Kirby Road Walton On The Naze Essex

Development: Single storey extension and shed.

1. Town / Parish Council

Frinton and Walton Town Council Recommend approval

2. Consultation Responses

n/a

3. Planning History

06/00506/FUL	Single storey extensions to form utility, study & bathroom.	Approved	15.05.2006
19/00888/FUL	Single storey extension and shed.	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

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 the erection of a single storey side and rear extension and shed to a detached bungalow located within the settlement development boundary of Frinton on Sea.

Design and Appearance

The proposed single storey extension will replace the existing single garage, conservatory and utility room to create annexe accommodation. A shed will be sited south of the extension abutting the eastern boundary. The proposed extension will be set back from the front elevation of the bungalow, being finished with render on the front and rear elevations which match the existing finish of the bungalow and brickwork on the eastern elevation that faces number 89. A flat roof only 0.10 metres higher than the existing garage will complete the extension along with a central roof light. The proposed extension will create a modern appearance that replaces the worn garage structure and older conservatory materials. The shed will be finished in brickwork with a maximum height of 2.65 metres. The top section of the shed will be visible to the neighbour at 89 Kirby Road above the 1.8 metre high fence line.

Due to the small foot print of the shed, the single storey nature of the extension and its limited view from the street scene, the design and scale of the extension and shed is acceptable in relation to the host property and would result in no material harm to visual amenity.

Impact upon Residential Amenity

The proposed extension will be sited a distance of 0.25 metres from the eastern boundary shared with 89 Kirby Road and holds the same position as the existing garage with only a 0.10 metre increase in overall height ensuring no significant impact in terms of loss of light. The shed is however sited further south of the extension and a distance of 0.20 metres to the eastern side boundary which has the potential to result in loss of light to the property of 89 Kirby Road and therefore the calculations specified within the Essex Design Guide have been applied. The 45 degree line in plan would intercept the rear patio doors and one rear window of number 89; however in elevation, it would catch just the bottom corner of the patio doors at number 89. It is therefore considered that the loss of light is not so significant to justify refusing planning permission on these grounds.

The low level nature of the extension and the shed will ensure there is no significant impact to either next door neighbour in terms of loss of privacy or overlooking, however due to the use as living accommodation of the new extension which is close to the boundary and to ensure the