

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	07/10/2019
Planning Development Manager authorisation:	TF	10/10/2019
Admin checks / despatch completed	KLE	10/10/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	10/10/19

**Application:** 19/00953/FUL **Town / Parish:** Frating Parish Council

**Applicant:** Mr Palmer

**Address:** 4 Council Houses Bromley Road Frating

**Development:** Proposed rear extension and front porch with external faced changed to smooth render.

### 1. Town / Parish Council

Mrs Michelle Salazar Frating Parish Council have no objection to this application.

### 2. Consultation Responses

N/A

### 3. Planning History

14/00376/FUL	Erection of free standing double garage, on existing hard standing.	Approved	13.06.2014
19/00953/FUL	Proposed rear extension and front porch with external faced changed to smooth render.	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

HG14 Side Isolation

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

### **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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 application site is located inside the development boundary of Frating Green. It serves a semi-detached two storey dwelling constructed of cream textured render with a tiled roof. The front and north side of the site is paved for parking. The rear is laid to lawn with close boarding fencing on the boundaries.

### **Proposal**

This application seeks planning permission for a single storey rear extension with a part two storey rear extension and a porch. The single storey extension will measure a maximum depth of 4.5m, 7.6m wide and will have a monopitched roof with a maximum height of 2.7m. The two storey rear extension proposal will measure a maximum depth of 4.5m, 5.9m wide, and will have a pitched roof with a maximum height of 6.5m. The porch proposal will measure a maximum depth of 1.7m, 1.9m wide, and will have a monopitched roof with a maximum height of 3.1m.

The proposed materials throughout the development will consist of smooth render and brick with a tiled roof top match the host dwelling.

### **Assessment**

The main considerations of this application are the design and the impact upon residential amenity.

### **Policy Considerations**

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and

protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

### Background

Originally the planning application proposal was for a rear extension measuring a height of 6.8m, width of 7.6m and 4.5m deep. It was proposed to be 0.3m away from the shared boundary with 3 Council Houses. The width and height of the two storey aspect were altered to lower the impact to the neighbouring properties light and outlook.

### Design and Appearance

The amended proposed extension is considered to be of a scale and nature appropriate to the site and the surrounding area, and will replace the existing single storey part of the original dwelling house. The two storey extension will have eaves to match the existing dwelling. The proposed development is to the rear of the property and will be partly publicly visible when travelling through Bromley Road from the north of the dwelling house; although it will be partly visible it will not have any adverse impact upon the street scene. It will be located over 5.7m from the north boundary and will be located 0.3m from the south boundary.

Due to this, and the appropriate design the development will have no adverse impact upon the street scene. Further, the proposed front porch is considered to add interest, and will replace an existing porch. The design of the development overall is considered to be acceptable.

### Impact on Residential Amenity

The ground floor rear extension is a distance of 0.3m to 3 Council Houses, and the two storey aspect of this planning application is 2m so is a distance where it will not result in any material harm to the neighbours. As part of the proposal is for a single monopitched roofed extension, there will be no significant loss of light or overlooking. Overall the proposed extensions are not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

### Other Considerations

Frating Parish Council has no objections to the application.  
No further letters of representation were received.

### Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the application is recommended for approval.

## **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 numbers 102 Rev C, 103 Rev C, 104 and 105.

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

## 8. Informatives

### Positive and Proactive Statment

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.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	YES	NO