

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	05/11/2019
Planning Development Manager authorisation:	TF	07/11/2019
Admin checks / despatch completed	CC	07/11/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	07/11/19

**Application:** 19/01382/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr Shayne Lovelidge

**Address:** 20 Halstead Road Kirby Cross Frinton On Sea

**Development:** Proposed extension to dwelling, internal alterations to annex and new outbuilding to rear.

### 1. Town / Parish Council

Frinton and Walton Town Council Approval

### 2. Consultation Responses

N/A

### 3. Planning History

19/01382/FUL Proposed extension to dwelling, internal alterations to annex and new outbuilding to rear. 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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 application site is located within the development boundary of Frinton on Sea. It serves a detached bungalow constructed of render with a tiled roof. The front of the site is gravelled for parking and concrete for parking. The rear is mainly laid to lawn with a patio area, along with an annexe to the north side, with close boarding fencing on the boundaries.

### **Proposal**

This application seeks planning permission for an outbuilding, a rear extension and internal alterations to the existing annexe. The outbuilding proposal will measure a maximum depth of 3.7m, 8.9m wide, and will have a pitched roof with a maximum height of 3.5m. The rear ground floor extension proposal will measure a maximum depth of 3.6 m 3.1m wide, and will have a flat roof with a height of 2.5m with a proposed roof lantern with a maximum height of 3.1m.

The proposed internal alterations for the annexe are ordinary classed as permitted development.

### **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.



### Design and Appearance

The proposals are considered to be of a scale and nature appropriate to the site and the surrounding area. The proposals will not be viewable from Halstead Road, so the development will not be publicly visible or have any impact upon the street scene.

### Impact on Residential Amenity

The single storey rear flat roof extension will be 0.6m from the shared boundary line with 18 Halstead Road and will be a minimum distance of 1.8m to the dwelling at 18 Halstead Road. The proposed extension will be 4.6m to the shared boundary line with 22 Halstead Road. As the proposal is for a single story flat roofed extension, there will be no loss of light or overlooking. It is also important to note that 18 Halstead Road is located further back than the host dwelling with only a side door, therefore the proposed extension is not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

The proposed single storey outbuilding will be at the back of the rear garden and will be 1m from the shared boundary line with 18 Halstead Road and will be a minimum distance of 1m to the shared boundary line with 22 Halstead Road. Due to the location and distance to the neighbouring properties, there will be no loss of light or overlooking. Overall the proposed outbuilding is not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

### Other Considerations

Frinton and Walton Town Council supported the planning application.  
No 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 plans: 6707-1103-P1 and 6707-1202-P1.

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.

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