

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	11/11/2019
Planning Development Manager authorisation:	TF	14/11/2019
Admin checks / despatch completed	CC	15.11.2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	XAE	15/11/19

Application: 19/01409/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr & Mrs Barker

Address: 55 Walden Way Frinton On Sea Essex

Development: Demolish existing garage and replace with new annexe.

1. Town / Parish Council

Frinton and Walton Town Council Approval

2. Consultation Responses

n/a

3. Planning History

19/30071/PREAPP	Extend front of garage by 0.3m, remove front wall and replaced 0.8m out on footings, remove existing flat roof and replace with new boarded and felted flat roof and eaves.	19.06.2019
19/01409/FUL	Demolish existing garage and replace with new annexe.	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 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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 retrospective planning permission for the demolition of a detached flat roof single garage and its replacement with an annexe to a semi-detached bungalow located within the settlement development boundary of Frinton on Sea.

Design and Appearance

The new annexe is sited on the footprint of the demolished detached single garage, albeit 4 square metres larger. The new annexe is located behind the existing dwelling at the end of the driveway behind a wooden gate. The annexe is finished in brickwork and UPVC fenestration that matches the existing dwelling with a flat roof. The setback position of the annexe ensures that it is not publicly visible and therefore there is no significant impact to the street scene. The siting of the annexe in the same position as the demolished garage on the south western side boundary means it will be visible above the fence line by the neighbour of 57 Walden Way however given that the garage was located in this position prior to the newly constructed annexe the impact is not considered so significant to refuse planning permission on these grounds. The flat roof of the annexe is similar to the garage that has been demolished and the other garages that still exist along Walden Way and which hold a comparable position behind the bungalows.

The design and scale of the annexe is acceptable and would result in no material harm to visual amenity.

Impact upon Residential Amenity

Due to the low level flat roof of the annexe there will be no significant impact in terms of loss of light, privacy or outlook.

At least 100 square metres of private amenity space remains following the construction of the proposal. Although the existing single garage has been lost, there will still be enough space in front and to the side of the bungalow that allows for at least two cars to park off the road.

Other Considerations

One representation has been received from a neighbour who expresses concerns regarding the sewage services from the en suite inside the annexe. This is a buildings regulations matter rather than a planning matter and will have been dealt with during the course of the build.

Frinton and Walton Town Council recommend approval of the planning application.

No other 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 plans: Drawing number PA.002 and PA.003 Revision A.

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

- 3 The hereby approved annexe shall only be used ancillary to the residential use of the dwelling known as 55 Walden Way, Frinton on Sea, CO13 0BH.

Reason - The application site is unsuitable for an additional independent residential unit.

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