

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	10/12/2019
Planning Development Manager authorisation:	TF	18/12/19
Admin checks / despatch completed	CC	18/12/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	xue	18/12/19

**Application:** 19/01557/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr and Mrs Hamer

**Address:** Bramley 121C Thorpe Road Kirby Cross

**Development:** Proposed single storey rear conservatory extension.

### 1. Town / Parish Council

Frinton and Walton Town  
Council Approval

### 2. Consultation Responses

N/A

### 3. Planning History

17/01153/OUT	Demolish existing bungalow and construct 4 No. detached bungalows on the site	Approved	12.01.2018
18/00398/FUL	Erection of 4no. 3 bedroom bungalows, following demolition of existing bungalow.	Approved	08.05.2018
19/01557/FUL	Proposed single storey rear conservatory extension.	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)

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

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

Application Site

The site is located to the south of Bramley, accessed via the south of Thorpe Road, it serves a detached bungalow constructed of brick work and a tiled roof. The front of the dwelling comprises of a brick driveway and an attached garage to the East of the dwelling. The rear of the dwelling is laid to lawn.

Assessment

Design and Appearance

One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design. Saved Policies QL9, QL10 and QL11 aim to ensure that all new development makes a positive contribution to the quality of the

local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The proposal is of a size and design appropriate to the existing dwelling and surrounding area. The proposed rear extension will measure approximately 4.5m deep, 4.7m wide, and approximately 4.2m high.

It is considered that the site can accommodate an extension of the proposed size and scales and still provide adequate private amenity space.

The proposal will be constructed of materials to match that of the existing dwelling. The exterior walls will be constructed of brickwork, the roof will be a Pitched tiled roof and UPVC will be used for the doors and windows. The proposed extension will not be visible from the streetscene and therefore not considered to have any adverse impacts on the visual amenity of the area.

The site is situated outside the housing settlement limits, however as the proposal will be in keeping with the existing character of the dwelling and will not harm the character of the surrounding area the proposal meets policy HG12 of the Adopted Local Plan 2007.

#### Impact to Neighbouring Amenities

The NPPF, Paragraph 17, states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the saved plan states that amongst criteria 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

It is deemed that the proposal will have no significant impact on loss of privacy, daylight or harm to the amenities of the adjacent neighbours.

#### Highway issues

The proposal neither generates an additional need for parking nor decreases the existing parking provision at the site.

#### Other Considerations

No letters of representation have been received

#### Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal 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:

Drawing Number PA.002, Revision A.  
Drawing Number PA.006, Revision A.  
Drawing Number PA.007, Revision A.  
Drawing Number PA.008, Revision A.

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 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