

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	22/01/2020
Planning Development Manager authorisation:	TF	22/01/2020
Admin checks / despatch completed	SOB	22/01/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	WNL	22/01/2020

Application: 19/01806/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr and Mrs Mason

Address: 7 Bardfield Way Frinton On Sea Essex

Development Proposed garage conversion and single storey rear extension.

1. Town / Parish Council

Frinton and Walton Town Council Recommend approval.

2. Consultation Responses

N/A

3. Planning History

92/00254/FUL	Two storey and single storey extensions	Approved	21.04.1992
19/01806/FUL	Proposed garage conversion and single storey rear 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
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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 (including Site Description and Proposal)

Site Description

The application site is located towards the end of a cul de sac, to the west of Bardfield Way, inside the development boundary of Frinton on Sea. It serves a detached two storey dwelling, with attached double garage, constructed of brick with a tile roof. The front of the site is a combination of lawn and hardstanding, include a pathway leading to the front door and an area for parking 2 no. cars in front of the garage. Laurel trees form the front and side boundaries. The rear of the site is set across two levels with the patio area level with the dwelling and a raised lawn serving the remainder of the garden with various shrubs planted. Fencing divides the side boundaries of the plot in the rear garden.

Proposal

The application proposes a garage conversion and single storey rear extension to the existing garage. The extension will measure 5m wide by a maximum 3.2m deep. It will have a flat roof with a height of 2.7m and will include a roof lantern taking the overall height to 3.3m. The extension will be constructed with brickwork to match the existing dwelling. The garage conversion will remove the existing garage doors and replace them with windows and brickwork to match the existing dwelling. The development overall will facilitate a one bedroom annexe with bathroom and an open plan lounge and kitchen.

Assessment

The main considerations of this application are the design, parking and the impact on residential amenity.

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 Parking

The proposed development is considered to be of a scale and nature appropriate to the site and the surrounding area. The garage conversion will be the only part of the development visible from the road, and the replacement of garage doors with windows and brickwork to match the existing dwelling result in this part of the development not having an adverse impact on the street scene. Furthermore, the loss of the garage in terms of parking is acceptable as sufficient off road parking

is available on the hardstanding at the front of the site for 2 no. cars in line with current parking standards.

The rear extension will be a modest flat roof addition that will be constructed using materials to match the existing dwelling and is considered to be acceptable in design terms. Sufficient private amenity space will be retained for the occupiers of the property.

The development facilitates the creation of an annexe within the main dwelling. A condition will be imposed on the permission to ensure the annexe is used ancillary to the main dwelling at all times as a new dwelling will need to be considered under different policy considerations and may not be supported.

Impact on Residential Amenity

The neighbour to the south is the only neighbour likely to be affected by the proposed development as the extension will be entirely screened from the neighbour to the north by the existing dwelling, and the strong planting within the site and towards the rear boundary will obscure views of the single storey extension from these neighbours.

The proposed extension will be located a minimum of 0.9m from the side boundary shared with the neighbour to the south, with no windows proposed on the side elevation. This neighbour also has a single storey projection built up to their boundary level with the proposed extension to assist in reducing any possible impact on this neighbour. Overall, the development is not considered to result in any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by this neighbour.

Other Considerations

Frinton and Walton Town Council recommend approval.

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, and in the absence of any 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 No. BP, Drawing No. 101, Drawing No. 102, Drawing No. 103 and Drawing No. 104.

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

- 3 The annexe hereby approved as a result of this development shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 7 Bardfield Way, Frinton On Sea, Essex, CO13 0AN.

Reason - The site is unsuitable for an independent residential unit because of the shared facilities and relationship to the host dwelling.

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:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO