

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	WC	29/01/20
Planning Development Manager authorisation:	AN	03/02/20
Admin checks / despatch completed	PW	03/02/20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	3/2/2020

Application: 19/01863/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Barry Day

Address: Willowside Westbury Road Great Holland

Development: Proposed two storey side extension.

1. Town / Parish Council

Frinton and Walton Town Council APPROVAL

2. Consultation Responses

3. Planning History

19/01863/FUL Proposed two storey side extension. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

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)

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination In Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

5. Officer Appraisal (including Site Description and Proposal)

Proposal:

The proposal is for a two storey side extension replacing an existing single storey side garage.

Site description:

Detached c1970s house in residential street on the edge of the development boundary of Great Holland, bordering open farmland.

Analysis:

Principle of development

The extension is to an existing dwelling inside the development boundary and is therefore supported in principle in accordance with the above policies.

Visual Impact:

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 proposed two storey side extension is considered to accord with the character of the streetscene given the mixture of bungalows and two storey houses with varied positions in the streetscene. The submitted block plan demonstrates the side extension is 1 metre off the shared boundary, thus meeting Policy HG14 (Side Isolation). The first floor of the original house is stepped back from the ground floor part of the house, and the extension follows this design. It is therefore considered this design is sufficient to ensure the first floor has a subordinate appearance without the need to require further set back at first floor level.

Impact on amenities of neighbouring properties:

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).

The nearest neighbour, Tregolls is a two storey house separated from Willowside by a single storey side element/extension which is also set off the boundary by 1 metre. The proposed side extension is shown to be 1 metre off the boundary and thus sufficient spacing between properties is retained. There are no opposite ground floor windows in the side of Tregolls and the first floor window serves a landing only. Thus, taken together with the spacing and the fact that proposed extension does not extend beyond the rear of Tregolls, it is assessed there would be no adverse loss of light or outlook to Tregolls.

There are no side windows in the proposal, therefore no adverse loss of privacy.

Other considerations:

Frinton and Walton Town Council confirm support for the application, and there are no other representations from neighbours consulted.

Conclusion:

Overall the amended scheme is considered to be in compliance with the above planning policies and therefore 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: P01 B received on 28th January 2020; and PL12 A and PL13 A received on 9th December 2019.

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

- 3 The external facing and roofing materials to be used shall be those specified on the submitted application form.

Reason - This is a publicly visible building where matching materials are a visually essential requirement.

8. Informatives

Application Approved Following Revisions

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.

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