

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	27 <sup>th</sup> March 2020
Planning Development Manager authorisation:	AN	30/3/2020
Admin checks / despatch completed	CC	01/04/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	LN	01/04/2020

**Application:** 20/00163/LUPROP                      **Town / Parish:** Frinton & Walton Town Council  
**Applicant:** Mr and Mrs Hunter  
**Address:** 3 Old Stables Kirby Le Soken Frinton On Sea  
**Development:** Proposed single storey rear extension.

### **1. Town / Parish Council**

No comments received

### **2. Consultation Responses**

No comments received

### **3. Planning History**

15/00494/FUL	Demolition of existing derelict barns and erection of 8 single storey, 2 bedroom, dwellings with associated access, garages, parking, landscaping and ancillary works.	Refused	19.06.2015
16/01043/FUL	Variation of condition 11 of planning application 15/00494/FUL - Relating to highway visibility splays.	Approved	22.08.2016
20/00163/LUPROP	Proposed single storey rear extension.	Current	

### **4. Relevant Policies / Government Guidance**

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

### **5. Officer Appraisal (including Site Description and Proposal)**

Class A – enlargement, improvement or other alteration of a dwellinghouse

A.1 Development is not permitted by Class A if –

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use).

Permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule. **The proposal complies.**

- (b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage. **The proposal complies.**

- (c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse.

The height of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the highest part of the roof of the existing dwellinghouse. **The proposal complies.**

- (d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse.

The dwelling house has eaves of different levels, the eaves at their highest are currently 2.7m high. At 2.7m high, the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the eaves of the existing dwellinghouse. **The proposal complies.**

- (e) the enlarged part of the dwellinghouse would extend beyond a wall which –

- (i) forms the principal elevation of the original dwellinghouse; or
- (ii) fronts a highway and forms a side elevation of the original dwellinghouse;

The enlarged part of the dwellinghouse would not extend beyond a wall which forms the principal elevation of the original dwellinghouse or fronts a highway and forms a side elevation of the original dwellinghouse. **The proposal complies.**

- (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and –

- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
- (ii) exceed 4 metres in height;

Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and not extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse or exceed 4 metres in height. **The proposal complies.**

- (g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and –

- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
- (ii) exceed 4 metres in height

Not applicable

- (h) the enlarged part of the dwellinghouse would have more than a single storey and –
- (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
  - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

Not applicable

- (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.

The enlarged part of the dwellinghouse would not be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would not exceed 3 metres. **The proposal complies.**

- (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would –
- (i) exceed 4 metres in height
  - (ii) have more than a single storey, or
  - (iii) have a width greater than half the width of the original dwellinghouse; or

Not applicable

- (k) it would consist of or include
- (i) the construction or provision of a verandah, balcony or raised platform,
  - (ii) the installation, alteration or replacement of a microwave antenna,
  - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
  - (iv) an alteration to any part of the roof of the dwellinghouse.

The development would not consist of or include any of the developments listed in points (i) to (iv). **The proposal complies.**

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

Not applicable

Conditions

A.3 Development is permitted by Class A subject to the following conditions—

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be –
  - (i) obscure-glazed, and

- (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and
- (c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

**6. Recommendation**

Permitted development

**7. Conditions / Reasons for Refusal**

- 1. The proposed development constitutes Permitted Development by virtue of the provisions of Schedule 2, Part 1 Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended).

**8. Informatives**

<b>Are there any letters to be sent to applicant / agent with the decision?</b>		<b>NO</b>
<b>Are there any third parties to be informed of the decision?</b>		<b>NO</b>