

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SOB	15.05.2020
Planning Development Manager authorisation:	SCE	15.05.2020
Admin checks / despatch completed	CC	15.05.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	15.05.2020

Application: 20/00371/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Davies, Mr and Mrs Candy

Address: Burnt House Woodberry Way Walton On The Naze

Development: Proposed north and east single storey extensions.

1. Town / Parish Council

Frinton and Walton Town Council supports this application.

2. Consultation Responses

N/A

3. Planning History

03/01691/FUL	Demolition of outbuilding and construction of 2 storey extension.	Approved	13.10.2003
05/00433/FUL	Demolition of outbuilding and construction of 2 storey extension to house	Approved	04.05.2005
20/00371/FUL	Proposed north and east single storey extensions.	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)

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is located to the east of Woodberry Way, in the boundary development area of Frinton on Sea. The property is located off of a driveway and is not visible from the highway. It serves a detached two storey dwelling, constructed of brick with a tiled roof. The property has a conservatory to the rear and a lean to on the east side. The site has a well-established tall box hedgerow, and trees surrounding the boundaries. There is a large area of hardstanding to the front which allows for parking for more than two cars. The front, rear and side garden is laid to lawn with an assortment of shrubs and plants.

Woodberry Way street scene consists of detached, semi-detached, single and two storey dwellings in brick, render, and cladding. Many properties have been extended or altered in some way.

Proposal

The application proposes a north and east single storey extension. The extension to the north will measure approximately 9.4m wide by 7m deep. The extension to the east will measure approximately 2m wide by 8.2m deep.

The development will be constructed using red facing brickwork, slate roof with UPVC window and doors to match the existing dwelling.

Assessment

The main considerations of this application are the design and 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

The proposed single storey extensions will be constructed in brick and slate to match the host dwelling. The removal of the existing lean to and conservatory mean there will be a small increase to the current floor plan, approximately 3.6m wide by 4.5m deep. This will square the extension to the host dwelling.

The side and rear boundaries have well established hedgerow which shield the dwelling and due to its position it will not have a significant impact on the street scene.

The design and scale of the extension and acceptable in relation to the host property and would result in no material harm to visual amenity.

Impact on Residential Amenity

The proposed north and east single storey extensions to the detached dwelling is unlikely to affect neighbouring properties due to their proximity.

Overall, the development is not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

Other Considerations

Frinton and Walton Town Council supports this application.

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 / 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 received DBH – 01 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 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