

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SOB	22/05/2020
Planning Development Manager authorisation:	SCE	22.05.20
Admin checks / despatch completed	CC	22.05.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	22.05.2020

Application: 20/00441/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: S Thurlow

Address: Nordic Turpins Lane Kirby Cross

Development: Proposed single storey front and rear extensions to form additional living areas.

1. Town / Parish Council

Frinton and Walton Town
Council

2. Consultation Responses

N/A

3. Planning History

90/00197/FUL	Modification to design of aerials to existing amateur radio mast (TEN/1881/89).	Approved	26.04.1990
20/00441/FUL	Proposed single storey front and rear extensions to form additional living areas.	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)

HG9 Private Amenity Space

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site is located to the east of Turpins Lane, inside the development boundary of Frinton on Sea. The surrounding area comprises of detached dwellings, materials present within the street scene include, brickwork, render, cladding and tiles. Many of these dwellings have previously extended by way of extensions and porches that are publicly visible within the street scene. The application site serves a detached two storey dwelling constructed of brick, a tiled roof and an integral garage. Sited to the front is an area of shrubbery, hardstanding parking area and a driveway along the side leading to the garage. The rear of the dwelling is laid to lawn with shrubbery and a patio area. There is a fenced boundary.

Proposal

The application seeks planning permission for a single storey front and rear extensions to form additional living areas. The rear extension will measure a maximum depth of 3.3m, 8.2m wide. It will have a flat roof with roof lantern. The proposed materials are Brickwork, Weather Boarding, concrete interlocking tiles, uPVC windows and door.

The front extension will measure depth 1.3m, 7.2m wide and it will be constructed in Weather Boarding with a monopitched roof, and three roof lights.

Assessment

The main considerations of this application are the design, highway safety and the impact upon residential amenity.

Policy Considerations

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 Appearance

The proposed rear extension will be sited to the rear and not publicly visible from the highway. The use of matching materials to the rear extension will blend the development with the host dwelling. The proposed rear and front extension is considered to be of a scale and nature appropriate to the site and the surrounding area.

The proposed front extension will be sited to the front and publicly visible. It will join up the existing integral garage and porch. Set back from the front of the site and its single storey design would not appear prominently within the street scene. It is also noted that the site is situated on a rural country road and does not overlook neighbours to the front. Although the proposed front extension materials alter from the existing, the street scene has many different materials throughout. The site is of a sufficient size to accommodate the proposal and still retain sufficient private amenity space.

Landscaping

The proposed front and rear extensions to the existing dwelling will not adversely affect any significant trees or other vegetation.

On the front boundary adjacent to the highway there is a small Norway Maple, a dead conifer and scrubby growth comprising Laurel and Brambles. Whilst individually none of the existing vegetation merits formal legal protection, collectively it helps to soften the appearance of the public realm.

Landscaping along the front boundary is required to soften the appearance of the development and this can involve the retention of some of the existing vegetation or its removal and replacement with new planting.

Highway Safety

The proposed front extension will not have any effect on existing parking. The front of the site can easily accommodate 2 off street car parking spaces in accordance with the current parking standards, and the garage is to remain so there is no objection to the level of off street parking available at the site.

Impact on Residential Amenity

The front and rear extension is a distance of 4m from boundary with neighbour Dykewood, and 5m from boundary with neighbour Tamariu. The position and orientation therefore would not result in any material harm to the neighbours.

As the proposal for a single flat roofed extension with lantern to the rear, there will be no significant loss of light or overlooking, it should also be noted that the existing conservatory will be removed. Overall the proposed extensions are not considered to cause any significant adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

Other Considerations

No comments received from Frinton and Walton Town Council.

No letters of representation were 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 Approval

- 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;.1757-PO1

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

- 3 No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction.

Reason - In the interests of visual amenity and the character of the area.

- 4 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason -In the interests of visual amenity and the character of the area.

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.

Landscaping along the front boundary is required to soften the appearance of the development and this can involve the retention of some of the existing vegetation or its removal and replacement with new planting.

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