

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	4 th Aug 2020
Planning Development Manager authorisation:	SCE	04.08.20
Admin checks / despatch completed	CC	10.08.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	10.08.2020

Application: 20/00763/LUPROP **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Raymond Hannam

Address: 23 Waltham Way Frinton On Sea Essex

Development: Proposed building works to the existing detached dwelling: Demolition of existing conservatory and lean-to roof to rear elevation; (Class A) Enlargement of single-storey to rear elevation; (Class B) Addition of dormer window to rear elevation; (Class F) Addition of permeable hard surface beyond the principle elevation.

1. Town / Parish Council

Frinton & Walton Town
Council
22.07.2020

The Town Council NOTED this application at a meeting held on
Thursday, 16 July 2020

2. Consultation Responses

No responses received

3. Planning History

20/00503/LUPRO P	Proposed building works to the existing detached dwelling: Demolition of existing conservatory and lean-to roof to rear elevation (south); Enlargement of single-storey to rear elevation; Addition of dormer window to rear elevation (south); Addition of permeable hard surface beyond the principle elevation (north).	Withdrawn	05.06.2020
20/00763/LUPRO P	Proposed building works to the existing detached dwelling: Demolition of existing conservatory and lean-to roof to rear elevation; (Class A) Enlargement of single-storey to rear elevation; (Class B) Addition of dormer window to rear elevation; (Class F) Addition of permeable hard surface beyond the principle elevation.	Current	

4. Relevant Policies / Government Guidance

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

5. Officer Appraisal

Replacement of the Conservatory with a Rear Extension

Class A – the 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 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;

Not applicable.

- (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 being enlarged which is opposite the rear wall of that 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.

A parapet wall surrounds the perimeter of the extension; the Householder Technical Guidance (September 2019) confirms that the parapet wall should be ignored for the purposes of measurement. The enlarged part of the dwellinghouse **would be** within 2 metres of the [west] 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;

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 or;

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

- (l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

The dwellinghouse is not built under Part 20 of this Schedule (construction of new dwellinghouses). **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.
- (d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

The site dwellinghouse is not on article 2(3) land.

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, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

The replacement of the conservatory with a single storey rear extension complies with the criterion laid out in Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 and an express grant of planning permission is not required.

Rear Dormer

Class B – The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

B.1 Development is not permitted by Class B 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 (changes of use). **The proposal complies.**

- (b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

No part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof. **The proposal complies.**

- (c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

No part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway. **The proposal complies.**

- (d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than –
- (i) 40 cubic metres in the case of a terrace house, or
 - (ii) 50 cubic metres in any other case;

In the case of a terrace house/semi-detached/detached house, the cubic content of the resulting roof space would not exceed the cubic content of the original roof space by more than 50 cubic metres. **The proposal complies.**

- (e) it would consist of or include –
- (i) the construction or provision of a verandah, balcony or raised platform, or
 - (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;

The proposal would not consist of or include the construction or provision of a verandah, balcony or raised platform, or the installation, alteration or replacement of a chimney, flue or soil and vent pipe. **The proposal complies.**

- (f) the dwellinghouse is on article 2(3) land; or

The dwellinghouse is not on article 2(3) land. **The proposal complies.**

- (g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses);

The dwellinghouse is not built under Part 20 of this Schedule (construction of new dwellinghouses). **The proposal complies.**

Conditions

B.2 Development is permitted by Class B subject to the following conditions –

- (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) the enlargement must be constructed so that –
 - (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension -
 - (aa) the eaves of the original roof are maintained or reinstated; and
 - (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
 - (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and

- (c) any window inserted on 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.

Conditions (a), (b) and (c) are met.

Interpretation of Class B

B.3 For the purposes of Class B, “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

B.4 For the purposes of paragraph B.2(b)(ii) -

- (a) roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement; and
- (b) “rear or side extension” includes an original part of, or a subsequent extension of, the dwellinghouse that extends from the rear or side of the principal part of the original dwellinghouse.

The rear dormer complies with the criterion laid out in Schedule 2, Part 1, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 and an express grant of planning permission is not required.

Hardstanding

Class F – Development consisting of— (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or (b) the replacement in whole or in part of such a surface.

F.1 Development is not permitted by Class F if:-

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use); or
- b) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).”.

Permission to to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use); nor has the dwellinghouse been built under Part 20 of this Schedule (construction of new dwellinghouses). **The proposal complies.**

Conditions

F.2 Development is permitted by Class F subject to the condition that where –

- (a) the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and
- (b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,

either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

The hard surface **would** be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway and the area of ground covered by the hard surface, or the area of hard surface replaced, **would** exceed 5 square metres and the hard surface is made of porous materials. **The proposal complies.**

The hardstanding complies with the criterion laid out in Schedule 2, Part 1, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015 and an express grant of planning permission is not required.

6. Recommendation

Permitted development

7. Conditions

- 1 The replacement of the conservatory with a single storey rear extension complies with the criterion laid out in Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 and an express grant of planning permission is not required.
- 2 The rear dormer complies with the criterion laid out in Schedule 2, Part 1, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 and an express grant of planning permission is not required.
- 3 The hardstanding complies with the criterion laid out in Schedule 2, Part 1, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015 and an express grant of planning permission is not required.

8. Informatives

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