

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JD	18/08/2020
Planning Development Manager authorisation:	AN	18/08/2020
Admin checks / despatch completed	CC	25/08/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	26/08/2020

Application: 20/00808/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Beres

Address: 33C The Esplanade Frinton On Sea Essex

Development: Installation of 9 x windows, 1 x French door, 1 x single door and 2 x sidelights.

1. **Town / Parish Council**

Mr FRINTON & WALTON
TOWN COUNCIL
22.07.2020

The Frinton & Walton Town Council recommended APPROVAL at a meeting held on Thursday, 16 July 2020

2. **Consultation Responses**

Essex County Council
Heritage
30.07.2020

The application is for installation of 9 x windows, 1 x French door, 1 x single door and 2 x sidelights.

Considering the existing windows, and age of the building, there is no objection to this application.

I recommend a condition pertaining to a detailed door elevation which has not been provided as part of the application.

3. **Planning History**

20/00808/FUL	Installation of 9 x windows, 1 x French door, 1 x single door and 2 x sidelights.	Current
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4. **Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019

NPPG National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL11 Environmental Impacts and Compatibility of Uses

EN17 Conservation Areas

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SP1 Presumption in Favour of Sustainable Development

SPL3 Sustainable Design

PPL8 Conservation Areas

Frinton Conservation Area Management Plan – 13th September 2007

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities ‘Garden Communities’ proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector’s advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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 site is that of a relatively modern end-of-terrace house on The Esplanade, Frinton. The junction with Cambridge Road is to the southwest, the junction with Oxford Road is to the northeast.

The site is within the Frinton and Walton Conservation Area.

Proposal

Installation of 9 x windows, 1 x French door, 1 x single door and 2 x sidelights.

The most significant element of the proposal is that a first floor window on the front elevation is to be replaced with "French doors" with side lights, i.e. full height glazing would be created to a bedroom with a view to the sea. It is presumed that the full-height glazed double door would be secured to remain shut or that a balustrade would be fitted to create something similar to a Juliette balcony. It is noted that there is a very shallow bay window below where the doors could open.

Otherwise the work is that of replacement windows and a replacement front door. White UPVC double glazed windows are to be replaced with UPVC Agate grey windows. Glazing bar patterns would change for the windows.

Appraisal

ECC Heritage has been consulted and a response received in writing raising no objection. The material issue in this case is considered to be the somewhat unorthodox appearance of the front elevation in the streetscene.

The application property is set in a short terrace of three houses with a 1960's style to them; having a relatively shallow pitch to the side gable roof, featuring white cladding to much of the front elevation of the terrace and windows with a horizontal emphasis to them. A very similar short terrace is set to the left hand side of the application property when viewed from the road and the public open space at the top of the slope leading down to the beach.

Although within a Conservation Area it would seem that the inclusion of these two short terraces was based, at least in part, on a consideration to provide continuity and simplicity to the extent of the Conservation Area.

Features to facilitate enjoyment of a sea view could be said to be a characteristic of the wider area, an illustration on page 16 of the Conservation Area Management Plan shows an example. 2 Cambridge Road has a continuous balcony area with a veranda below and the residential building at 1 Oxford Road has balconies. Given the very limited contribution which the property as existing makes to the character of the area, it is considered that the full-height glazing to the front elevation would create an interesting feature which would echo features to properties in the wider area.

The proposal is considered acceptable with regard to Policies QL9 and EN17.

A site notice was posted and the application was advertised in the press. Letters were sent to occupiers of 3 neighbouring properties. No response has been received.

The Town Council recommend approval.

6. Recommendation

Approval.

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 plans: Site location plan; Block plan; Existing and proposed elevations 3012003/1; Sectional drawing – door; and, Sectional drawing – window.

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

3. Prior to installation of the French doors, the fenestration marked 5, 6 and 7 on approved plan 3012003/1, a more detailed elevation drawing, which shall include the position and appearance of any balustrade, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason – In the interest of visual amenity and to ensure that this prominent element of the proposal is in accordance with Policies QL9 and EN17 of the adopted Local Plan and Policies SPL3 and PPL8 of the emerging Local Plan.

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.

<p>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</p>	<p>YES</p>	<p>NO</p>
<p>Are there any third parties to be informed of the decision? If so, please specify:</p>	<p>YES</p>	<p>NO</p>