

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	16/09/2020
Planning Development Manager authorisation:	SCE	18.09.2020
Admin checks / despatch completed	DB	18/09/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	18/09/2020

Application: 20/00997/FUL **Town / Parish:** Frinton & Walton Town Council
Applicant: Mr and Mrs Collis
Address: 43 Woodside Walton On The Naze Essex
Development: Proposed new roof to create new first floor with 5 No. flat roof dormers.

1. Town / Parish Council

FRINTON & WALTON APPROVAL
TOWN COUNCIL
28.08.2020

2. Consultation Responses

Building Control and Access Officer No comments at this stage.
10.08.2020

3. Planning History

20/30061/PREAPP Proposed first floor loft extension. 03.06.2020

20/00997/FUL Proposed new roof to create new first floor with 5 No. flat roof dormers. 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
HG9 Private Amenity Space
HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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, 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

Proposal

This application seeks permission for the erection of a new pitched roof with loft conversion and five flat roof dormers to a detached bungalow located within the settlement development boundary of Frinton on Sea.

Design and Appearance

The proposal at 43 Woodside will alter the appearance of the bungalow as it is today. The proposed pitched roof will replace the existing pitched roof, raising the ridge height by 2.3 metres to allow for rooms in the roof space. The gable at the front and back will be maintained with three dormers on the north eastern roof slope and two dormers on the south western roof slope.

The remodelling of the bungalow will modernise its look in the street scene and although the neighbouring detached properties to the north east are bungalows, the host dwelling will face houses to the south west which lie on the opposite side of the green open space and will therefore not look out of place. In addition the properties along Woodside are set back from the highway, with gardens and driveways fronting the footway and road creating a spacious feel. The gables and dormers will be finished in grey eternite cedar weatherboard cladding creating a contemporary appearance. The white UPVC windows will match the existing bungalow and the roof will be finished in complementing grey plain tiles.

The design and scale of the loft conversion with dormers would result in no material harm to visual amenity.

Impact upon Residential Amenity

Saved Policy HG14 of the adopted Tendring District Local Plan 2007 seeks to safeguard the amenities and aspect of adjoining residents and ensure that new development is appropriate in its setting and does not create a cramped appearance. The policy requires retention of appropriate open space between the dwelling and the side boundaries of the plot where the extension is over 4

metres in height, as in this case. As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary. In this case there is a distance of 2.2 metres to the north eastern side boundary shared with 45 Woodside. The distance of 2.2 metres to the side boundary will not be altered by the proposal as the first floor will be formed over the original footprint of the bungalow and will not include building at first floor over the later rear extensions, while the eaves height will remain the same. A distance of 2.15 metres will be maintained to the south western boundary adjacent to the open space.

Due to the separation distance of 4.6 metres between the properties of 43 and 45 Woodside created by the driveways there will be no significant impact in terms of loss of light, loss of privacy or overlooking to the neighbour at number 45. The two rearmost dormers on the north eastern roof slope serving the new bathroom and kitchen area will be obscured glazed and this will be secured by condition. The two south west facing dormers overlook the public open green space, with the south western side boundary of 43 Woodside maintaining a distance of at least 20 metres to the front of the properties on the opposite side of the open space ensuring there will be no significant impact to the residential amenity of the houses and maisonettes of 31 to 39 Woodside.

Just over 100 square metres of private amenity space will remain following the construction of the proposal which is considered adequate. The existing off road parking arrangements on the block paved driveway will not be affected and allow two cars to park off the road in spaces that meet the required minimum measurements of 5.5 metres x 2.9 metres.

Other Considerations

Frinton and Walton Town Council support the application.

No other letters of representation have been received.

Conclusion

In the absence of material harm resulting from the development the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 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: Drawing no. 01 Revision B.

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

- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), the two rearmost first floor dormer windows serving the bathroom and kitchen area on the north eastern roof slope shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

- 4 The first floor accommodation hereby approved shall only be used ancillary to the residential use of the dwelling known as 43 Woodside, Walton on the Naze, CO14 8NR.

Reason - The application site is unsuitable for an additional independent residential unit.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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