

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	03/11/2020
Planning Development Manager authorisation:	TC	03/11/2020
Admin checks / despatch completed	CC	04.11.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	BB	04/11/2020

Application: 20/01213/FUL **Town / Parish:** Frinton & Walton Town Council
Applicant: Mr and Mrs T Dunn
Address: 34 The Close Frinton On Sea Essex
Development: Proposed rear and side extension.

1. Town / Parish Council

FRINTON & WALTON APPROVAL
TOWN COUNCIL
12.10.2020

2. Consultation Responses

n/a

3. Planning History

20/01213/FUL Proposed rear and side extension. 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

Local Planning Guidance
Essex Design Guide

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

The application seeks permission for a single storey side and rear extension to a detached bungalow situated within the development boundary of Frinton on Sea.

Design and Appearance

The proposed single storey extension will be sited on the north western corner of the existing dwelling. The extension will join the rear of the existing single garage, join the western side elevation of the bungalow and wrap around the rear of the property creating a new kitchen/diner and reception room. The extension will be finished externally in materials that match the existing bungalow comprising a brick plinth and smooth render with interlocking concrete roof tiles.

A small section of the gable end of the extension will be seen above the existing single garage and although the extension is a substantial size measuring a maximum of 12.14 metres in depth and 6.92 metres in width, due to its single storey nature, matching materials and set back position there will be no significant impact to the character of the existing dwelling or the immediate area.

The design and scale of the proposal is acceptable and 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 1 metre to the western side boundary shared with 36 The Close and a distance of over 9 metres has been maintained between the eastern side boundary shared with 32 The Close.

The single storey extension is sited a distance of 1 metre from the western side boundary shared with 36 The Close. The property of 36 The Close itself is however a distance of at least 3 metres from the shared side boundary, although the garage is closer than this. Due to the close proximity of the extension to the neighbouring property the sunlight/daylight calculations specified in the Essex Design Guide have been applied. The 45 degree line down from the roof of the single storey extension would not intercept the side windows at 36 The Close in elevation, however the 45 degree line does intercept the side windows of 36 The Close in plan. The loss of light that the proposal will cause is not considered so significant as to justify refusing planning permission on these grounds.

The extension is a considerable distance from the immediate neighbour at 32 The Close and there will be no significant impact in terms of loss of light to this neighbour.

Due to the single storey nature of the proposal there is not considered to be any increased or significant loss of privacy or overlooking caused by the proposal to any neighbouring properties.

At least 200 square metres of private amenity space will remain following the construction of the proposal which is considered adequate and the existing off road parking arrangements will not be affected.

Other Considerations

Frinton and Walton Town Council recommends approval of the application.

No other letters of representation have been received.

Conclusion

In the absence of any 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 plans: Drawing numbers PL00, PL01 and PL02.

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
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Are there any third parties to be informed of the decision? If so, please specify:	YES	NO