

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DB	29/01/2021
Planning Development Manager authorisation:	TC	29/01/2021
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Application: 20/01780/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Andrew Furzer

Address: Kendor Little Clacton Road Great Holland

Development: Single storey side and rear extension.

1. Town / Parish Council

FRINTON & WALTON
TOWN COUNCIL
29.01.2021

Recommends APPROVAL

2. Consultation Responses

N/A

3. Planning History

20/01780/FUL Single storey side and rear 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

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

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council is now making arrangements to formally adopt Section 1 of the Local Plan in its modified state and this is expected to be confirmed at the meeting of Full Council on 26th January 2021 – at which point will become part of the development plan and will carry full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan. In the interim, the modified policies in the Section 1 Local Plan, including the confirmed housing requirement, can be given significant weight in decision making owing to their advancement through the final stages of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) is now expected to proceed in 2021 and two Inspectors have already been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

5. Officer Appraisal (including Site Description and Proposal)

Proposal

The proposal seeks permission for single storey side and rear extension.

Application Site

The site is located to the North of Little Clacton Road within the development boundary of Great Holland. The site serves a single storey semi-detached dwelling constructed of rendered brickwork with a pitched tiled roof. The surrounding streetscene is comprised from dwellings of similar scale and design, materials present include mostly render.

Assessment

Design and Appearance

One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design. Saved Policies QL9, QL10 and QL11 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The proposed side extension will extend from the front left of the dwelling by 1.78 metres and have an overall height of 2.9 metres. This portion would then extend toward the rear of the property by 16.3 metres. This side portion of the extension would allow for an increase in the size of the two existing bedrooms, whilst creating an additional third bedroom and en-suite. Whilst the side extension would be visible from the streetscene at the front elevation, the design and finish of the proposal would remain in keeping with those present at the existing dwelling. With the brick plinth and monocouche render in particular being sympathetic to the existing dwelling. This extension would also allow for access to the property to be moved to the front rather than the side, with a portion of bedroom three being utilised as an entrance to the hallway beyond.

The rear portion of the extension would measure across the entire width of the existing property with an overall width of 8.1 metres and height of 2.9 metres. This section would create a kitchen and family room to the rear of the property, with finishes remaining consistent with the existing dwelling such as the monocouche render and continuation of the brick plinth. This would also be a fibreglass flat roof construction, with all windows doors and facias being white UPVC to match the existing. The rear of the proposal would feature white UPVC bi-fold doors and an additional window to the right facing the garden. Whilst the proposal is of a significant size in relation to the existing dwelling, the site can accommodate a proposal of this size and scale whilst retaining adequate private amenity space.

Impact to Neighbouring Amenities

The NPPF, Paragraph 17, states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the saved plan states that amongst criteria 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward by Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The nearest neighbouring properties are Pentreath and Yonder House, Little Clacton Road.

Impact on Pentreath

This dwelling is located to the east of Kendor, and as the two properties are semi-detached, would be the closest neighbour to the proposal. The rear portion of the extension would extend 4.3 metres beyond the rear extent of this property. Pentreath has an existing conservatory to the rear which is constructed of mostly brickwork along the boundary edge of the two properties. Whilst the extension to the rear of Kendor would protrude 4.3 metres beyond this existing conservatory, the single storey nature and the presence of the existing boundary fence means that the proposal would be partially visible from this neighbouring dwelling. The proposal would also not feature any side facing windows toward Pentreath so would not adversely affect privacy. As the garden is also north facing it is deemed that the proposal would not adversely affect the amount of daylight to this neighbouring dwelling. As a result, it is deemed that the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of Pentreath.

Impact on Yonder House

This dwelling is set away from the proposed development by 4.7 metres at the front, which means that the proposal is not deemed to have an adverse impact of the provision of daylight to the front window of Yonder House. Whilst the proposal does feature side facing windows towards this neighbouring dwelling, the presence of the existing boundary fence means it is deemed to not represent an adverse impact on privacy. Similarly, Yonder House also has side windows facing towards Kendor. The single storey nature of the proposal also means that the extension would be almost entirely obscured from view by the existing fence line between the two properties, with the finishing deemed to be of a sympathetic nature to the existing dwelling. As a result, it is deemed that this development will not cause a significant impact on the loss of privacy nor daylight, nor to cause any other harm to the amenities of occupiers of Yonder House.

Highway issues

Whilst the proposal includes an additional bedroom, the site retains adequate parking provision for a three-bedroom property.

Other Considerations

Frinton and Walton Town Council recommends approval of this proposal.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal the application is recommended for approval.

6. Recommendation

Approval – Full

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 plan; Drawing No. 2020-12

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