

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DB	06.04.2021
Planning Development Manager authorisation:	SCE	06.04.2021
Admin checks / despatch completed	DB	06.04.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	06.04.2021

Application: 21/00300/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Richard Krijgsman

Address: High Hill House Old Hall Lane Walton On The Naze

Development: Erection of single storey front and side extensions (following demolition of existing shed), alterations to window/door openings and driveway, replacement windows and doors, installation of solar panels to roof, rooflights and replacement of external staircase

1. Town / Parish Council

Mr FRINTON & WALTON
TOWN COUNCIL Recommends -APPROVAL
15.03.2021

2. Consultation Responses

N/A

3. Planning History

21/00300/FUL	Erection of single storey front and side extensions (following demolition of existing shed), alterations to window/door openings and driveway, replacement windows and doors, installation of solar panels to roof, rooflights and replacement of external staircase	Current
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4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

EG4 Energy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG9 Private Amenity Space

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

PPL 10 Renewable Energy Generation

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

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 has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have 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

Proposed erection of single storey front and side extensions (following demolition of existing shed), alterations to window/door openings and driveway, replacement windows and doors, installation of solar panels to roof, roof lights and replacement of external staircase.

Application Site

The application site is located to the east of Old Hall Lane, a large detached dwelling located within the development boundary of Walton on The Naze. The site serves a two-storey dwelling constructed of exposed buff brickwork with a pitched tiled roof.

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 Front Elevation

Front Extension

The proposed front extension would measure 9.6 metres wide by 2.2 metres deep with an overall height of 3.2 metres. The walls would be finished in painted render, with a flat roof, which would house a glass balustrade to create a front balcony above. The proposed balcony is not deemed to compromise the privacy of neighbouring dwellings. A proposed door and side panel to replace the existing landing window will provide access. The front elevation would feature a wide metal framed window, which is proposed for all of the existing windows at the property so would be deemed in keeping. This proposal is a single storey construction located to the front of the host dwelling, which will be clearly visible from the streetscene. However, the modern design and finish of the proposal is considered an improvement to the existing sites visual amenity. The extension will create additional space for the existing master bedroom, and exposed porch entrance leading to the front door. The design of the proposal is deemed sympathetic to the host dwelling and relates well to its surrounding site.

Garage Conversion

The proposed garage conversion would require the existing garage door to be removed and partially bricked up with buff bricks to match the existing dwelling. There will also be a three pane window consistent with the one proposed on the front extension, so the visual amenity of the proposal is deemed to be acceptable. This conversion will create an additional ground floor bedroom and utility space for the dwelling. Ample parking provision will remain to the front of the dwelling, which can accommodate six vehicles. It is deemed that the proposal relates well to its site and surroundings and represents good design.

Side Gate and Fence

The proposed side gate and fence to the right of the existing garage, would be 1.8 metres high and feature a close boarded construction. This proposal will enhance the security of the dwelling and provide a negligible impact on the amenities of neighbouring dwellings, which have similar fencing.

South Elevation

The proposed alterations to the south elevation include roof-mounted solar panels and proposed Velux windows. It is noted that neighbouring dwellings within the vicinity have solar panels, and the impact on visual amenity is negligible. The proposed roof lights will allow additional light to the first floor and will not compromise neighbour privacy. The existing windows and doors will be bricked up, and an additional doorway will be provided from the utility room to the rear garden. These alterations are deemed minor alterations, and will not have a materially damaging impact on the amenities of neighbouring dwellings.

Rear Elevation

The rear elevation would feature a number of alterations to windows and doors. There would be a gable window to replace the existing window in this position. Whilst the window would be greater in scale than the existing one, the height would be similar so the impact on neighbour amenity would remain the same. The proposed ground floor sliding doors would replace the two existing windows, and allow better access to the rear garden from the rear bedroom. The proposed window adjacent to the staircase would also allow greater light provision to the ground floor of the dwelling. Another set of sliding doors are also proposed to the right of the staircase to provide access to the garden from the studio. The proposed door to replace the existing landing window would allow access to the rear balcony from the first floor landing. In addition, the existing sliding doors leading from the sitting room, would be replaced with metal framed doors to remain consistent with the other alterations to the property. Finally the rear staircase leading to the rear balcony, would be replaced with one leading straight up from the rear garden. This alteration would allow for the visual impact of the staircase to be reduced, as they will be smaller in length. As a result, it is deemed that these alterations are of a size and scale appropriate to the existing dwelling and surrounding area. The site can accommodate a proposal of this size and scale whilst retaining ample private amenity space.

North Elevation

The proposed side extension would measure 3.3 metres wide by 6.8 metres long, with an overall height of 3.2 metres. The walls would be finished in exposed buff brickwork, with a flat roof consistent with the external finishes of the host dwelling. This extension would be used as a store, to keep sailing equipment. It would feature two entrances at the front, rear elevation, and feature no side facing windows. The roof would feature two roof lights to allow additional light. This proposal is a single storey construction located to the side of the host dwelling. The design of the proposal is deemed sympathetic to the host dwelling and relates well to its surrounding site.

As a result, it is deemed that this proposal is of a size and scale appropriate to the existing dwelling and surrounding area. The site can accommodate a proposal of this size and scale whilst retaining ample private amenity space.

Impact on 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 to this proposal are Roobet House and Haven House, Old Hall Lane.

Impact on Roobet House

This dwelling is located to the north of the site, with the proposed side extension and front balcony being the nearest to this dwelling. The side extension would be built along the boundary between the two properties, however would be single storey and feature no side facing windows. It would also be replacing an existing shed in this location. The front balcony, would be located to the front of the host dwelling however would not represent a reduction in privacy to this dwelling as the building line of Hill House is set back from Roobet House. As a result, it is deemed that the proposal would not constitute a materially damaging impact on the privacy, daylight or other amenities of occupiers of this property.

Impact on Haven House

This dwelling is located to the south of the site and would be located approximately 6 metres from the proposal. The alterations along the south elevation consist of most notably a proposed relocation of the side door to the new utility room. As this would be an alteration to move an existing door, this change is not deemed to represent a reduction of the amenities of this dwelling. As a result, it is deemed that the proposal would not constitute a materially damaging impact on the privacy, daylight or other amenities of occupiers of this property.

Highway issues

Adequate parking provision will remain at the site, in line with the adopted parking standards.

Other Considerations

Frinton and Walton Town Council recommends approval.

No other letters of representation have been received.

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 plans; Drawing No.
 - 2021/OHL/P/1
 - 2021/OHL/P/2

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.