

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	21 st April 2021
Planning Development Manager authorisation:	JJ	22/04/2021
Admin checks / despatch completed	DB	22.04.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	22.04.2021

Application: 21/00412/FUL **Town / Parish:** Frinton & Walton Town Council
Applicant: Mr Andrew Fisher
Address: 11 Ashes Close Walton On The Naze Essex
Development: Erection of roof extension with front and rear dormers

1. Town / Parish Council

Frinton & Walton Town Council
04.04.2021

Recommends: Approval

2. Consultation Responses

No comments received

3. Planning History

20/01581/HHPNAS	Proposed additional storey, increasing the height of the building by 2.2m.	Approved	23.12.2020
21/00412/FUL	Erection of roof extension with front and rear dormers	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007 and Part 1 adopted Local Plan

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways

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

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

Ashes Close is a typical late twentieth century urban open-plan housing development comprising an attractive mix of two-storey and single storey bungalows. Dwellings have uniform external construction materials but different orientations and roof shapes add variation to the streetscene.

The application site is one of three similar single-storey bungalows which have a wide front elevation in comparison to their shallower depth; it is sited in the southernmost turning-head of the cul-de-sac and has a west-facing garden. The neighbour to the left is a single-storey bungalow but has a gable end presenting to the streetscene. The neighbour to the right is a full two-storey dwellinghouse.

Relevant History

The site benefits from a Prior Approval under Schedule 2, Part 1, Class AA of the General Permitted Development Order for the enlargement of a dwellinghouse by construction of an additional storey.

Description of Proposal

The application proposes raising the main ridge by 1m (from around 2.5m to 3.5m (with the insertion of three dual-pitched dormers to the front elevation and one box-dormer to the rear.

Principle

The site is located within the Development Boundary therefore there is no principle objection to the proposal, subject to the detailed considerations discussed below.

Design & Appearance

The Government attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. 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. Now adopted policy SP7 also reflect these considerations.

The rear dormer is of a size that can be undertaken as permitted development. In regards to the front dormers; the Essex Design Guide states that "Dormers should be a minor incident in the roof plane. Their purpose should be to light the roof-space, not to gain extra headroom over any great width. They should not be located close to verges or hips and should have gabled, cat-slide or flat lead roofs." The three dormers are sited equidistant between the ridge and the eaves and are set away an ample distant from both side verges and have relatively uniform spread across the span of the front roofslope. It is acknowledged that no other properties have forward-facing dormers in the vicinity; notwithstanding this – the design would result in an attractive addition to the property that would help break up the monotony of blank roof slopes which are commonplace in these estate-developments. For these reasons the developments will have no significant impact to the street scene and will respect the character and appearance of the host dwelling in regards to scale and design.

Impact to Neighbouring Amenities

The NPPF, at paragraph 127 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 other 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 in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

No. 9 Ashes Close is a single-storey bungalow whose principal elevation faces towards the flank of No. 11. No. 15 Ashes Close is a two-storey dwellinghouse. Separation distances in the region of 6m exist between No. 9 and No. 11; between Nos. 11 and 15 are minimal. No windows are proposed that could introduce a level of overlooking or loss of privacy which would be any more harmful than the existing. The rear dormer could be constructed as a result of utilising permitted development rights; neither the front dormers nor raising of the roof would have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties

Highway Issues

Paragraph 108 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. Saved Policy QL10 of the adopted Tendring District Local Plan 2007 states that planning permission will only be granted, if amongst other things, access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate. These objectives are supported by emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The property benefits from a side driveway that can adequately accommodate at least two parking spaces.

Contributions

Frinton & Walton Town Council recommends approval and this observation is noted and agreed.

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: MA143.01.01, received 25th February 2021.

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?		NO
Are there any third parties to be informed of the decision?		NO