

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DA/TE
File completed and officer recommendation:	AP	18/05/2021
Planning Development Manager authorisation:	JJ	19/05/2021
Admin checks / despatch completed	DB	20.05.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	20.05.2021

Application: 21/00297/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr and Mrs Brand

Address: 200 Halstead Road Kirby Le Soken Frinton On Sea

Development: Construction of two front dormers, single storey side extension (incorporating a garage) and single storey side/rear extensions (following demolition of existing conservatory); construction of detached garage, outbuilding and new gates and wall to entrance

1. Town / Parish Council

FRINTON & WALTON TOWN COUNCIL
15.03.2021
Recommends -APPROVAL

2. Consultation Responses

n/a

3. Planning History

21/00297/FUL	Erection of single storey side extension (incorporating a garage) and single storey side/rear extensions (following demolition of existing conservatory); construction of detached garage, outbuilding and new gates and wall to entrance	Current
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4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019
National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)
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) (Section 1 adopted on 26th January 2021)

SPL3 Sustainable Design

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

The application proposes a single storey side extension, two front dormers and single storey side and rear extensions. In addition a detached garage is proposed in front of the house, an outbuilding within the curtilage of the garden and timber gates at the entrance. The application site is partly inside the settlement development boundary for Kirby Le Soken and partly outside of it.

Design and Appearance

The new front gable and front dormers are scaled proportionally to the existing dwelling and respect the slightly lower eaves height at the front. The single storey elements, although cover a vast floor area appear subservient to the existing dwelling and the overall refurbishment of the house will ensure all the additions tie together. The extensions on the northern side of the house replace an existing detached garage minimising the additional footprint created in this area.

A mix of brickwork and blue/grey cladding will be used to finish the extensions which will modernise the look in the street scene, although ensuring it does not look out of place. 200 Halstead Road is already an individually designed dwelling in an elevated position which concludes the row of properties on the eastern side of Halstead Road.

The detached garage is a two bay cart lodge with an enclosed garden store, a low hipped roof finishes the building to ensure that it does not detract from the main dwelling. The garage will be sited in front of the house, although set back from the road and sideways on creating a parking and turning area for cars in front of the house.

A flat roof outbuilding will be sited within the curtilage of the dwelling. The building is just a little higher than the permitted development criteria allows and is considered acceptable given its positioning which is away from any neighbouring dwellings.

The proposed gates and sections of wall at the entrance is considered to complement the refurbishment of the dwelling.

The design and scale of the proposals is considered to be acceptable and would result in no material harm to visual amenity.

Impact upon Residential Amenity

Although the application site holds higher ground than the property to the north there will be no significant impact in terms of loss of light, privacy or outlook. Following amendments, the extensions nearest to the bungalow on the northern boundary are now single storey with flat roofs ensuring no increased impact than from the existing garage structure.

No additional side facing first floor windows have been added.

There will be ample parking at the property on the newly formed driveway in front of the house. The entrance gates have been set back from the road and open inwards to ensure any vehicles entering will be clear of the road in the interests of highway safety.

More than 500 square metres of private amenity space remains following construction of the proposal which is considered more than adequate.

Other Considerations

Frinton and Walton Town Council support 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 No. BHR-02 Rev C, BHR-04 Rev B and BHR-03 Rev B.

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 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.

<p>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</p>	<p>YES</p>	<p>NO</p>
<p>Are there any third parties to be informed of the decision? If so, please specify:</p>	<p>YES</p>	<p>NO</p>