

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | CC | 17.05.2021 |
| Planning Development Manager authorisation: | SCE | 18.05.2021 |
| Admin checks / despatch completed | DB | 20.05.2021 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | CC | 20.05.2021 |

Application: 21/00590/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr T Payne

Address: 32 Waltham Way Frinton On Sea Essex

Development: Proposed roof conversion to form bedroom and hobbies room.

1. Town / Parish Council

Frinton and Walton Town Council No Comments received

2. Consultation Responses

Not Applicable.

3. Planning History

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|-----------------|--|------------|
| 21/30033/PREAPP | Proposed roof conversion to form two bedrooms. | 19.03.2021 |
| 21/00590/FUL | Proposed roof conversion to form bedroom and hobbies room. | Current |

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Adopted Tendring District Local Plan 2007 (part superseded)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

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

This application seeks permission for a roof conversion to form bedroom and hobbies room.

Application Site

The site is located towards the north of Waltham Way, within the development boundary of Frinton on sea. The application site serves a detached bungalow finished in painted render and brickwork with a hardstanding to the front of the site, a low wall around the site boundary and some

shrubby. The surrounding streetscene is comprised from a mixture of two storey dwellings and bungalows of differing scales.

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 roof conversion will increase the height of the existing roof by approximately 1.9 metres, giving the dwelling an overall height of 7.4 metres from ground level. The new roof will be of the same pitched design as that of the original and finished in a matching roof slate to blend with the existing. The surrounding streetscene is comprised from a mixture of two storey dwellings and bungalows of differing heights and scales, the proposed new roof design will be of a similar appearance to the dwelling directly opposite the site and is therefore not considered to cause an unwanted precedent in the area, nor will it appear inconsistent with the existing streetscene

The proposal includes the installation of three roof dormers, one located to the front of the dwelling and two to the rear. The front dormer and the rear dormer to the east of the dwelling will measure 2.3 metres wide by 3.5 metres deep with an overall pitched roof height of 2.7 metres. The rear dormer to the west will have a smaller width of 1.6 metres. The front dormer will be visible to the streetscene, however, dormers are visible on a number of neighbouring dwellings throughout the area and so the proposal will not appear inharmonious. Furthermore the proposed dormers will be finished in materials to match those of the existing dwelling and are not considered to have any significant adverse effect on the visual amenities of the area.

The proposal also includes the installation of three rooflights located to the front, rear and west elevation. These are considered to be of a minor nature and will not appear overly dominant within the streetscene, rooflights are also visible on the neighbouring dwellings throughout the area. The proposed rooflights are therefore not considered to have any adverse effect on the visual amenities of the area.

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 in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed rooflights are to be installed above ceiling level to avoid overlooking onto the neighbouring properties. They are therefore not considered to have any significant impact on the loss of privacy to the adjacent neighbours.

The proposed dormers will provide the dwelling with additional views from first floor level to the front and rear of the site and will result in a loss of privacy to the adjacent neighbours. However, the front dormer will only provide views of the streetscene, not any private areas and is therefore not considered to have a significant effect on the loss of privacy to the adjacent neighbours. Additionally, all three dormers will serve a bedroom and a hobbies room, these are not considered to be a primary living space, any loss of privacy caused by these dormers will not be so significant as to justify refusing planning permission.

The neighbouring dwelling to the west of the site extends further than the host dwelling, the proposed new roof form therefore has no significant impact on the loss of light to this neighbouring dwelling.

The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the extension roof does not catch the neighbouring dwelling to the east of the site and therefore has no effect on the loss of light.

The proposal is considered acceptable in terms of residential amenity.

Highway issues

The Proposal neither generates an additional need for parking, nor decreases the existing parking provisions at the site.

Other Considerations

Frinton and Walton Town council have provided no comments on the application.

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. 10 Revision B – WIP
Drawing No. 11 Revision A
Drawing No. 12 Revision A – WIP
Drawing No. 13 Revision A – WIP
Drawing No. 14 Revision A – WIP
Drawing No. 3 Revision A
Drawing No. 4 Revision A
Drawing No. 5 Revision B – WIP
Drawing No. 6 Revision B – WIP
Drawing No. 7 Revision B – WIP
Drawing No. 8 Revision A
Drawing No. 9 Revision A

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.

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