

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	09/06/2021
Planning Development Manager authorisation:	SCE	09.06.2021
Admin checks / despatch completed	DB	10.06.2021
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Application: 21/00701/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Brian Smith

Address: 33 Horsey Road Kirby Le Soken Frinton On Sea

Development: Erection of single storey rear extension (following demolition of existing conservatory)

1. Town / Parish Council

FRINTON & WALTON TOWN COUNCIL
24.05.2021

Recommends: APPROVAL

2. Consultation Responses

N/A

3. Planning History

21/00701/FUL Erection of single storey rear extension (following demolition of existing conservatory) 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Adopted Tendring District Local Plan 2007 (part superseded)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
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

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site comprises of a detached bungalow with conservatory to the rear and garage with driveway and vehicular access to the side. The dwelling is set back on its plot with a garden to the rear bordered by fencing along its boundaries.

Proposal

This application seeks permission for the erection of single storey rear extension (following demolition of existing conservatory).

Assessment

Design and Appearance

The proposal will be sited to the rear and predominantly screened by the host dwelling, in the likelihood that views are achieved through the spaces between dwellings these will be minimal and will not be prominent or detrimental to the overall appearance of the existing house or streetscene.

The proposal is of a size and scale appropriate to the existing house and will be finished in materials which are consistent with the host dwelling.

The use of a flat roof will differ from the design of the existing house however as the new extension will be largely screened by the host dwelling with minimal impact to Horsey Road the use of such would not detract from the character and appearance of the dwelling or area and is acceptable in this instance.

The site is of a sufficient size to accommodate the proposal and still retain sufficient private amenity space.

In conclusion the proposed extension is an appropriate addition to the existing house which will not detract from the visual amenity of the existing house or area.

Impact to Neighbours

The proposed flat roof extension will be set off of each neighbouring boundary by a minimum of 1m and largely screened by the existing neighbouring fencing preventing it from resulting in a significant impact to the residential amenities of the neighbouring dwellings.

Other Considerations

Frinton and Walton Town Council have no objections to the proposal
There have been no letters of representation received.

Conclusion

In the absence of material harm resulting from the proposed 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 plan: Block Plan 1:500 and Drawing No 01 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.