

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	09/06/21
Planning Development Manager authorisation:	SCE	11.06.2021
Admin checks / despatch completed	DB	11.06.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	11/06/2021

**Application:** 21/00634/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Rod Matthews

**Address:** 8 Wade Reach Walton On The Naze Essex

**Development:** Erection of extension to garage

### **1. Town / Parish Council**

FRINTON & WALTON  
TOWN COUNCIL  
24.05.2021

Recommends: APPROVAL

### **2. Consultation Responses**

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority. No site visit was undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material, google earth image dated April 2009. In addition, the extent of the publicly maintainable highway has been requested and checked for the area within the vicinity of the proposed extension via Highway Records; given these considerations:

The Highway Authority does not object to the proposals as submitted.

Informative:

1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO1 – Development Management Team  
Ardleigh Depot,  
Harwich Road,  
Ardleigh,  
Colchester,  
CO7 7LT

2: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees,

and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

### **3. Planning History**

21/00634/FUL          Erection of extension to garage          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  
TR1A Development Affecting Highways  
TR7 Vehicle Parking at New Development

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 26<sup>th</sup> 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 10<sup>th</sup> 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 26<sup>th</sup> 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 and accompanying garage situated within the development boundary. The site benefits from a corner plot location with its front elevation serving Wade Reach and its side elevation serving Hubbards Chase. The house is set back from the front boundary with an open frontage. The garage is set back from the front wall of the main house and has a driveway and vehicular access to the front. Sited along the side boundary the side of the garage is a noticeable feature and past this is the sites existing boundary fencing.

### Proposal

This application seeks permission for the erection of a single storey side extension to the existing garage.

### Assessment

#### Design and Appearance

The proposal will be a noticeable addition to the main house and will continue the height of the existing garage.

The proposed side extension will be set back from the front wall of the main house and boundary and will be constructed from materials which are consistent with the main house and existing garage.

There is currently no soft landscaping along the side elevation of the garage and there is none which is proposed. The Councils Tree and Landscape Officer has been consulted as part of the application due to the openness of the site however does not object to the proposal and considers that there would be no benefit in terms of soft landscaping to screen the proposal. Furthermore a 1m gap between the proposal and pathway would be retained to reduce its impact and retain some of the open character at the site.

As a result of its set back from site boundaries and its consistencies in terms of design and size with the existing house it is considered the proposal would not appear as a prominent or harmful addition to the existing garage and house and would not detract from the overall appearance and character of the area.

### Highway Safety

The Essex County Council Parking Standards states that where a house comprises of two or more bedrooms that 2no parking spaces should be retained measuring 5.5m by 2.9m per space.

The proposal will not result in the change to the existing parking provision at the site which will remain in accordance with the Essex County Council Parking Standards.

The proposal will retain a 1m gap between the proposal and boundary reducing its impact to views achieved from the highway. As a result of its close proximity to the highway the Essex County Council Highways Team have been consulted and have no objections to the proposal.

### Impact on Neighbours

The proposal is of a suitable size and siting away from shared boundaries and would therefore not result in a significant loss of residential amenities to the neighbouring properties.

### 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: TEN.2021-03-01.

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.

#### Highways Informative:

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