

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	24/06/2021
Planning Development Manager authorisation:	TF	25/06/2021
Admin checks / despatch completed	CC	25.06.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	25.06.2021

Application: 21/00843/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr and Ms Williams and Greeno

Address: 23 Fifth Avenue Frinton On Sea Essex

Development: Proposed garage conversion including replacement of flat roof including monopitch front element and single storey rear extension with glazed roof lanterns. Render to all elements and existing house.

1. Town / Parish Council

FRINTON & WALTON
TOWN COUNCIL
04.06.2021

Recommends - APPROVAL

2. Consultation Responses

Not applicable

3. Planning History

21/00843/FUL	Proposed garage conversion including replacement of flat roof including monopitch front element and single storey rear extension with glazed roof lanterns. Render to all elements and existing house.	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Adopted Tendring District Local Plan 2007 (part superseded)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
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 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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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)

Application Site

The application site comprises of a detached bungalow and adjacent garage. The bungalow has been constructed from brick and is set back from the front of the site. Positioned along the front boundary is existing walling and planting and situated to the rear along the boundaries is existing fencing.

Proposal

This application seeks permission for;

- Proposed garage conversion including replacement of flat roof including monopitch front element.
- Single storey rear extension with glazed roof lanterns.
- Render to all elements and existing house.

Assessment

Design and Appearance

The proposed alterations to the garage will be visible within Fifth Avenue. However, they are of a minor scale which will be set back from the front boundary of the site reducing their prominence and allowing them to appear appropriately in relation to the existing house and streetscene. The use of a small mono pitched roof element will further allow this side element to appear consistently with the main dwelling.

The proposed extension is of a suitable design and scale, in relation to the existing house. It will be predominantly to the rear of the house preventing it from having a harmful impact to the appearance and character of the dwelling and area.

The use of cream/ white render to the existing bungalow and alterations/ enlargements proposed will be a noticeable change within the area. However, Fifth Avenue is not located within an area of special protection and is made up of houses varying in materials and colour, therefore the use of such would not be considered a harmful change to the existing area. Furthermore, the use of the same coloured render to the existing house and enlargements will allow both elements to appear consistently with one another.

The supporting information also states that the windows and openings will be aluminium anthracite grey. Whilst this will differ to the main house and surrounding properties it is a minor variation which would not appear unduly out of keeping and would not diminish the overall character and appearance of the existing bungalow or streetscene

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

Impact to Neighbours

It is noted that the neighbouring site of 30 Upper Second Avenue has an existing side extension with rearward facing window serving a playroom currently in situ in close proximity to the application site boundary. This element was not shown on the plans but has been noted at the officer's site visit.

The proposed rear extension will be visible to each neighbour and as a result of its depth and orientation of the sites will result in a loss of light and outlook to each neighbour. As a result, the sunlight/daylight calculations specified within the Essex Design Guide have been applied to the proposal. The 45 degree line in plan would strike through both neighbours windows where as in elevation would not. Therefore, the test is passed and the loss of light resulting from the proposal would not be so significant as to warrant a refusal planning permission in this case.

Whilst the proposal will result in a loss of outlook to the neighbours due to its close proximity to the boundary as it will have a flat roof design and largely screened by the existing boundary fencing the loss of outlook is considered not so significant in this case to refuse planning permission upon. The proposal is absent from any side facing windows and will therefore not result in a loss of privacy to the neighbouring properties.

Due to the nature and siting of the garage conversion/alterations and rendering of the house these elements will not result in a loss of residential amenities to the neighbouring dwellings.

Highway Safety

The Essex County Council Parking Standards state 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 standards also state that garages should have an internal measurement of 7m by 3m. The existing garage does not meet these current standards.

Whilst the proposal will result in the loss of the existing garage there is sufficient space to the front of the house within the sites boundaries to facilitate the parking of 2no vehicles in compliance with the above standards. The proposal will therefore not contravene highway safety.

Other Considerations

Frinton and Walton Town Council raise no objections to the application.

No letters of representation have been received.

Conclusion

In the absence of any 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: 01 Rev C.

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.