

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	17.09.2021
Planning Development Manager authorisation:	SCE	17.09.2021
Admin checks / despatch completed	DB	17.09.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	17/09/2021

Application: 21/01316/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr and Mrs Beeson

Address: 23 Willow Avenue Kirby Cross Frinton On Sea

Development: Proposed single storey side extension.

1. Town / Parish Council

FRINTON & WALTON
TOWN COUNCIL
31.08.2021

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 March 2021. It is noted that the proposal is within a residential area and the proposal does not alter the existing vehicle access for the property. It appears there is a distance of approximately 2.5 metres between the property boundary with Elm Grove and the proposed building line of the extension, given these considerations:

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

3. Planning History

21/01316/FUL	Proposed single storey side extension.	Current
--------------	--	---------

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

QL11 Environmental Impacts and Compatibility of Uses (part superseded)

HG14 Side Isolation

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

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26th January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. In this regard 'Proposed Modifications' to the emerging Section 2 of the 2013-33 Local Plan, which contains more specific policies and proposals for Tendring, has been examined and hearing sessions have now closed. The main modifications recommended to make the plan legally compliant and sound were considered at the Council's Planning Policy and Local Plan Committee on 29th June 2021. The Council held a six-week public consultation on the Main Modifications and associated documents which began on 16th July 2021. The consultation closed at 5pm on 31st August 2021 and adoption is expected later this year. Section 2 will then join Section 1 as part of the development plan, superseding in full the 2007 Local Plan. Section 2 of the 2013-33 Local Plan is therefore at a very advanced stage of preparation and should be afforded considerable weight.

5. Officer Appraisal (including Site Description and Proposal)

Proposal

This application seeks permission for the erection of a single storey rear extension.

Application Site

The site serves a detached bungalow finished in white painted render over a red brick plinth with a pitched tiled roof, known as 23 Willow Avenue, Kirby Cross. The front of the site is laid to lawn with fencing and shrubbery along the boundary. The site is located within the development boundary of Frinton on Sea, as agreed in both the Adopted Tendring District Local Plan 2007 and the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft. The surrounding streetscene is comprised from a mixture of two storey dwellings and bungalows of a similar design and appearance to the application site.

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 Policy QL11 and emerging Policy SP1 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.

The proposed side extension will be located to the west of the site, facing onto Elm Grove. The side extension will measure 3.4 metres wide by 4.3 metres deep with an overall pitched roof height of 4.1 metres. The proposal is considered to be of an appropriate size and scale with the application site retaining adequate private amenity space. The proposal will be finished in weatherboarding with a flat roof design and UPVC windows and doors. The extension will be visible from the streetscene of Willow Avenue and Elm Grove. The extension will be finished in a matching painted render over a brick plinth with a pitched roof design to match the existing dwelling. The proposed extension will therefore blend with the existing dwelling and will not have any adverse effect on the visual amenities of the area.

Policy HG14 of the Tendring District Local Plan (2007) states that extensions over 4m in height will be required to retain appropriate open space between the dwelling and side boundaries to ensure that new development is appropriate in its setting, does not create a cramped appearance and safeguard the amenities and aspect of adjoining residents. The proposed extension will be constructed 2.8 metres from the side boundary to the south and therefore complies with policy HG14.

The proposed side extension is therefore considered acceptable in terms of visual amenities.

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 extension is of a single storey nature and therefore poses no significant threat of overlooking or loss of privacy on the adjacent neighbours.

The proposal is located an adequate distance from the neighbouring dwelling to the south and has no impact on the loss of light to this property. The proposed extension is located away from other shared neighbouring boundary lines with no effect on the loss of light to neighbouring properties.

Highway issues

Essex County Council Highways have been consulted on this application and have provided the following comments;

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 March 2021. It is noted that the proposal is within a residential area and the proposal does not alter the existing vehicle access for the property. It appears there is a distance of approximately 2.5 metres between the property boundary with Elm Grove and the proposed building line of the extension, given these considerations:

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

The proposal is therefore considered acceptable in terms of highway safety.

Other Considerations

Frinton and Walton Town Council support this application.

Essex County Council Highways Support this 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 plan; Drawing No. P01

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:

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 or by post to:

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

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