

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DB	19.08.2021
Planning Development Manager authorisation:	JJ	19/08/2021
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Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	19/08/2021

Application: 21/01137/FUL **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Kyriacos Charalambous

Address: 93 Woodberry Way Walton On The Naze Essex

Development: Proposed construction of a new side dormer with render finish to match existing external walls and tiled roof.

1. Town / Parish Council

FRINTON & WALTON
TOWN COUNCIL
19.07.2021

Recommends: - APPROVAL

2. Consultation Responses

N/A

3. Planning History

03/00917/FUL	Erection of detached garage, erection of a conservatory and construction of front canopy	Refused	27.06.2003
03/01441/FUL	Erection of conservatory. Erection of front canopy.	Approved	11.09.2003
04/02054/FUL	Extension to driveway		15.08.2005
15/01742/FUL	Construction of a new side dormer with render finish to match existing external walls and tiled roof.	Approved	15.03.2016
21/01137/FUL	Proposed construction of a new side dormer with render finish to match existing external walls and tiled roof.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2021

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

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)

SP7 Place Shaping Principles

SPL3 Sustainable Design

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 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 is holding a six week public consultation on the Main Modifications and associated documents, which began on 16th July 2021. The consultation will run for just over 6 weeks, closing at 5pm on 31st August 2021, following which adoption is expected later this year. Section 2 will 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 construction of a new side dormer with render finish to match existing external walls and tiled roof. A similar proposal was previously approved through application 15/01742/FUL, however did not feature the Juliet balconies.

Application Site

The site is located to the east of Woodberry Way, which is located within the development boundary of Frinton on Sea. The site serves a detached rendered dwelling with a dual pitched Redland tiled roof. The site features a large driveway and detached garage, which can accommodate a combined four vehicles.

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 (Part superseded) 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 side dormer would increase the first floor area from 40m² to approximately 45 m², which would enable the existing bedrooms to be extended, whilst providing an additional W/C on the first floor. In terms of visual amenity, it is noted that the proposed dormer would be consistent in design and finish to the existing dwelling. The proposal is therefore deemed to be of a size and scale appropriate to the existing dwelling and surrounding area. The site can accommodate a proposal of this size and scale.

The proposed dormer would be located to the right side of the property so would be visible from the streetscene, however as the proposal has implemented sympathetic design and material choices the impact is deemed acceptable. The proposal would be finished in painted render with a sloped tiled roof, featuring two sets of sliding doors and associated iron balustrade. The Juliet balconies would face toward the south, and provide views of the sea. As there are no neighbouring dwellings to this side, coupled with the fact they serve bedrooms, which are not primary habitable spaces, it is deemed that the proposal would not compromise neighbour privacy.

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

The proposed dormer would serve bedrooms but would face a southern direction away from nearby neighbours, as such it is deemed that the alterations would not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby dwellings.

Highway issues

The site has adequate parking provision in line with the adopted standards for a dwelling of this size.

Other Considerations

Frinton and Walton Town Council recommend approval.

One letter of representation was received from a neighbour, highlighting concerns of the impact of the proposal in terms of blocking their existing view of the sea. However, this would not represent a material planning consideration in relation to this application and can therefore not be considered.

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.

- 103 A (Received 24th June 2021)

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.