

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	03/08/2022
Planning Development Manager authorisation:	AN	04/08/22
Admin checks / despatch completed	ER	04/08/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	04.08.2022

Application: 22/00914/FULHH **Town / Parish:** Frinton & Walton Town Council

Applicant: Denise Corbett

Address: 11 Beatrice Road Walton On The Naze Essex

Development: Proposed single storey rear extension with glazed roof lantern and replacement flat roof to garage.

1. Town / Parish Council

FRINTON & WALTON
TOWN COUNCIL
18.07.2022

Recommend approval

2. Consultation Responses

Environmental Protection
30.06.2022

In order to minimise potential nuisance caused by any construction, Environmental Protection recommend that the following below is conditioned;

- No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out.
- No materials produced as a result of the site development or clearance shall be burned on site.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

3. Planning History

22/00914/FULHH

Proposed single storey rear extension with glazed roof lantern and replacement flat roof to garage.

Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

Status of the Local Plan

Planning law requires that decisions on 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 (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal (including Site Description and Proposal)

Application Site

The application site comprises of a semi detached bungalow with driveway to the side. The existing house is finished in render and has an accompanying garage in similar materials. The site is within the development boundary.

Proposal

This application seeks planning permission single storey rear extension with glazed roof lantern and replacement flat roof to garage.

Assessment

Design and Appearance

The proposed rear extension will be largely to the rear and predominantly screened from view by the existing house however any views which are achieved from Beatrice Road will be minimal due to its set back and not detrimental to the overall appearance and character of the dwelling locale. The alterations to the garage will be publicly noticeable however given their minor nature will not appear prominently or harmfully in relation to the existing house and streetscene. The proposal is of a suitable size and design in relation to the main house and will be finished in materials with the host dwelling.

The existing private amenity space is 100m² and the proposal will see that this reduced to 85m². Whilst there will be a reduction in private amenity space for the occupants the area retained will still be large enough to be usable.

Impact on Neighbours

The proposal will be sited 2.9m from the shared boundary with 9 Beatrice road and as a result of its flat roof design and distance from boundary would not result in a significant loss of amenities to this neighbours rear openings. This neighbour does have openings along its side elevation which currently receive little light and outlook whilst the proposal will reduce this further given their positioning this loss is considered not so significant to refuse planning permission upon.

The neighbour sited to the west of the site has a previous extension approved under 18/01346/FUL. This extension is fairly prominent to the host site and has no windows which face the application sites garden. Due to the depth of the existing extension at 15 Beatrice Road this proposal would not protrude past its rear elevation and in the absence of side facing windows views of this extension would not be achieved. The proposal would therefore not result in a harmful impact in terms of residential amenities to this neighbour.

The proposal will be sited sufficient distance away from neighbouring boundaries to the rear preventing a loss of residential amenities to these nearby houses.

Other Considerations

Frinton and Walton Town Council recommend approval

There have been no letters of representation received.

The site is located on an area of contaminated land and therefore Environmental Protection have been consulted. They have provided no objections to the proposal subject to conditions regarding working hours and the burning of materials.

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: 04 and 01A.

Reason - For the avoidance of doubt and in the interests of proper planning.

3. No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out.

Reason – To protect the amenities of neighbouring sites.

4. No materials produced as a result of the site development or clearance shall be burned on site.

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Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

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.