

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	27.07.2022
Planning Development Manager authorisation:	JJ	27/07/2022
Admin checks / despatch completed	SH	28.07.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	28.07.2022

**Application:** 22/00964/FULHH **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr Josh Cole

**Address:** 47 Stallards Crescent Kirby Cross Frinton On Sea

**Development:** Proposed demolition of existing garage and extension of the single storey property to include new living space and new integral garage.

### 1. Town / Parish Council

FRINTON & WALTON  
TOWN COUNCIL  
18.07.2022

Recommend approval

### 2. Consultation Responses

Not Applicable

### 3. Planning History

11/60543/HOUEN Q	Erection of 2m high boundary fence		02.12.2011
13/00585/FUL	Single storey extension to existing bungalow.	Approved	17.07.2013
17/30059/PREAPP	Erection of dwelling following demolition of garage		10.04.2017
22/00964/FULHH	Proposed demolition of existing garage and extension of the single storey property to include new living space and new integral garage.	Current	

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 Sustainable Design

Local Planning Guidance

Essex Design Guide

### **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)**

### **Proposal**

This application seeks permission for the demolition of existing garage and extension of the single storey property to include new living space and new integral garage.

### **Site History**

Planning permission has been previously granted for a similar proposal under planning application reference 13/00585/FUL. However a site visit by the case officer has confirmed that these works were never carried out.

### **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. Policies SP1, SP7 and SPL 3 of the Tendring District Local Plan 2013-2033 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 extension will be located to the side of the dwelling at the east of the site. It will therefore be visible to the streetscene. The proposed extension is considered to be of an acceptable size and scale in relation to the host dwelling and its locality. A site visit by the case officer has confirmed that the application site can accommodate for a proposal of this size and scale.

The proposed extension is visible to the streetscene as well as the public right of way located east of the site. However, The extension will be marginally set back from the edge of this public right of way. It is also set back from the front boundary of the site, meaning it will not appear overly

prominent from the highway, nor the start of the public right of way. Furthermore, the proposal will be finished in brickwork with a hipped tiled roof to match the design and appearance of the host dwelling. The use of matching materials will cause the proposal to blend with the host dwelling. The extension is therefore considered to be of an in keeping design and appearance with no significant harmful effect on the visual amenities of the area.

#### 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 SPL 3 of the Tendring District Local Plan 2013-2033 states that all new development must meet practical requirements, it must be designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents. The development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

The extension is of a single storey nature and therefore poses no significant risk of overlooking or loss of privacy to the adjacent neighbouring dwellings.

The proposal is located an adequate enough distance from the adjacent neighbouring dwellings to have no impact on the loss of light.

#### Highway issues

The Proposal neither generates an additional need for parking, nor decreases the existing parking provisions at the site.

#### Other Considerations

Frinton and Walton Town Council support this application.

No other letters of representation have been received.

#### Conclusion

It is considered that the proposed development poses minimal harm to the public right of way located adjacent to the site, any harmful effect on the visual amenities of the area are not considered to be so significant as to justify refusing planning permission. 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. 47SC-002 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.