

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	13/09/2022
Planning Development Manager authorisation:	AN	13/9/22
Admin checks / despatch completed	ER	14/09/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	14.09.2022

Application: 22/01240/FULHH **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Peter Zap

Address: Ischia Cliff Parade Walton On The Naze

Development: Proposed extension of existing balcony.

1. Town / Parish Council

FRINTON & WALTON
TOWN COUNCIL RECOMMEND APPROVAL
26.08.2022

2. Consultation Responses

Not Applicable

3. Planning History

19/01146/FUL	Proposed first floor replacement conservatory with increase in size.	Approved	25.09.2019
22/01240/FULHH	Proposed extension of existing balcony.	Current	

4. Relevant Policies / Government Guidance

National:

National Planning Policy Framework July 2021 (NPPF)

National Planning Practice Guidance (NPPG)

Local:

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

SP7 Place Shaping Principles

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 extension of the existing balcony. The balcony is located to the front of the dwelling.

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 existing dwelling has a balcony stretching across the majority of the width of the front elevation, it is proposed to extend the balcony so that it stretches across the entire width, whilst also increasing the depth to the north of the site. As the balcony is located to the front of the dwelling the extended balcony will be visible to the streetscene. Front facing balconies are visible throughout the streetscene of Cliff Parade and so the balcony will not appear out of character with the locality. The extended balcony is considered to be of an appropriate size and scale in relation to the host dwelling. The balcony will have a composite handrail / balustrade with glazing to perimeter which will replace the existing timber type. The balcony is considered to be of an acceptable 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.

As the balcony is located to the front of the dwelling it does not have any significant harmful impact on the loss of privacy to the adjacent neighbouring dwellings. The balcony will only provide views overlooking the streetscene, a private area, with no views into private amenity areas.

Whilst the installation of a balcony would normally be cause for concern over increased noise levels, the existing dwelling already has a balcony located to the front elevation. Furthermore, front facing balconies are present throughout the streetscene of Cliff Parade. The balcony extension is not considered likely to have any more of a significant impact on noise levels than that which is present in this area.

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 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. 001
Drawing No. 002 A
Drawing No. 004 A
Drawing No. 006

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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:		NO
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Are there any third parties to be informed of the decision? If so, please specify:		NO