

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	14.09.2022
Planning Development Manager authorisation:	AN	14/9/22
Admin checks / despatch completed	ER	15/09/2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	15/09/2022

Application: 22/01261/FULHH **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr and Mrs Fennelly

Address: 35 Baynards Crescent Kirby Cross Frinton On Sea

Development: Proposed extensions and alterations to form additional living accommodation.

1. Town / Parish Council

FRINTON & WALTON
TOWN COUNCIL
26.08.2022

RECOMMEND APPROVAL

2. Consultation Responses

Not Applicable

3. Planning History

22/01261/FULHH Proposed extensions and alterations to form additional living accommodation. 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 extensions and alterations to form additional living accommodation.

It is proposed to construct a first floor side extension and two storey rear extension.

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.

At ground floor level the proposed rear extension will measure across the entire width of the host dwelling, with the first floor rear element located towards the south west of the site. The proposed side extension will be located above the existing single storey garage, towards the north east of the site. The case officer has visited the site to confirm that the application site can accommodate for the proposed extensions of this size and scale whilst retaining adequate private amenity space. The proposed extensions are considered to be of an appropriate size and scale.

The proposed first floor side extension will be visible to the streetscene. As the site is located on a corner plot the rear extension will also be visible in parts of the streetscene. The extensions will be finished in smooth render with a pitched tiled roof over the side and first floor rear extensions. The ground floor rear extension will have a tiled mono-pitched roof design incorporating rooflights and bricked walls to blend with the host dwelling. The use of render will be introducing a new material to the site, however render is a traditional material widely used throughout construction and is considered acceptable in this case. The proposed extensions are considered to be of an acceptable design and appearance with no significant adverse effects 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 proposed first floor side extension does not extend out further than the rear elevation of the adjacent neighbouring dwelling and therefore will have no significant harmful impact on the loss of light to this dwelling.

Due to the proximity of the ground floor rear extension to the boundary line, guidelines set out within the Essex Design Guide have been applied. The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the extension roof would not intercept over half of any window in both plan and elevation. The proposal therefore does not have a significant enough impact on the loss of light to warrant refusing planning permission.

The proposed first floor rear extension is located an adequate enough distance as to have no harmful impact on the loss of light to the adjacent neighbouring dwellings.

The proposal will include the installation of new windows at first floor level providing views from the rear of the dwelling. These will provide the dwelling with views overlooking onto the neighbouring properties and therefore result in a loss of privacy. However, these windows will be serving a dressing room and a bedroom, these areas are not deemed to be primary living spaces and therefore do not have a significant impact on the loss of privacy to the adjacent neighbouring dwellings. Furthermore, the existing dwelling already has rear facing windows at first floor level, the proposal will therefore not be providing any new additional views and cannot be said to have a significant impact on the loss of privacy.

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. 1044_A_SC_01
Drawing No 1044_A_SC_02
Drawing No 1044_A_SC_05
Drawing No 1044_A_SC_06
Drawing No 1044_A_SC_07

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:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO