

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	03.10.2022
Planning Development Manager authorisation:	AN	3/10/22
Admin checks / despatch completed	CC	04.10.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC/SH	04.10.2022

Application: 22/01350/FULHH **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Andrew Symonds

Address: 21 Upper Fourth Avenue Frinton On Sea Essex

Development: Proposed demolition of existing garage and erection of single storey side extension.

1. Town / Parish Council

Frinton and Walton Town Council Frinton and Walton Town Council have contacted the Local Planning Authority to state that they will be making comments on this application in due course, unfortunately these comments will not be received in time before the case deadline but will be uploaded to the case file and made available for public viewing from the 07.09.2022.

2. Consultation Responses

Not Applicable

3. Planning History

22/01350/FULHH Proposed demolition of existing garage and erection of single storey side extension. 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

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

SPL3 Sustainable Design

Local Planning Guidance

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 erection of single storey side 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.

The proposed side extension is located toward the rear of the dwelling and is well set back from the highway. Although it will be visible from parts of the streetscene its single storey nature and positioning towards the rear mean it will not appear overly dominant. The proposed extension is of an acceptable size and scale in relation to the host dwelling, with the application site able to accommodate for a proposal of this size whilst retaining adequate private amenity space.

The proposed extension will be finished in a cement board painted olive green in colour. It will have a flat roof design and UPVC windows and doors. Whilst the use of cement boarding will be introducing a new material to the site, the colour will match that of the features on the host dwelling helping the proposal to blend. The side extension is also largely shielded to the streetscene and is not considered to appear out of character with the locality. The proposal is therefore considered to be of an acceptable design and appearance with no significant harmful effects on the visual amenities of the area.

Frinton and Walton Conservation Area

The application site is located just outside of the Frinton and Walton Conservation Area. The proposal is set to the rear and is considered to be of an acceptable size, scale and design and therefore is not considered to have any significant harmful effects on the setting of the Conservation 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 proposal is of a single storey nature and therefore poses no significant risk of overlooking or loss of privacy to the adjacent neighbouring dwellings.

The proposed side extension will be located to the north of the site. Due to the siting of the neighbouring dwelling north of the site in relation to the siting of the host dwelling, the proposed extension is located an adequate enough distance from this neighbouring dwelling as to have no significant impact on the loss of light. The proposal is not located adjacent to any other neighbouring dwelling and has no impact on the loss of light.

Highway issues

Whilst the proposal will result in the demolition of the existing garage, this garage does not meet Essex County Council's requirements for a garage to measure 7m by 3m internally in order to be considered an appropriate car parking space. The proposal can therefore not be said to cause a loss of a parking space at the site. Furthermore, there is adequate space located to the front of the site to accommodate parking for a dwelling of this size.

Other Considerations

Frinton and Walton Town Council have contacted the Local Planning Authority to state that they will be making comments on this application in due course, unfortunately these comments will not be received in time before the case deadline but will be uploaded to the case file and made available for public viewing from the 07.09.2022.

One letter of representation has been received from a member of the public. The concerns raised in this letter have been summarised and responded to in the table below;

Concern	Officer Response
Concerned over the demolition of the existing garage as it is believed it has an asbestos roof covering and would like assurance the roof is removed and disposed of safely and correctly by a registered and approved contractor.	The demolition of the existing garage does not require planning permission and so has not been assessed within this report. The responsibility for the safe removal of the roof lies with the applicant / home owner.
There is a hole in the slate roof on the existing front elevation of the property and several slipped slates can be seen from the road, the priority should be to repair the defects before the extension project is started.	The responsibility for the repair of the existing dwelling lies with the home owner, this is not something that the Local Planning Authority can intervene with nor enforce.

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. 0416/PL/01 - Proposed and Existing Floor Plans

Drawing No. 0416/PL/03 - Proposed Elevations

Drawing No. 0416/PL/04 - Proposed and Existing Block Plan

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