

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case Officer recommendation:	ER	01/03/23
Planning Manager / Team Leader authorisation:	ML	02/03/2023
Planning Technician final checks and despatch:	ER	02/03/2023

Application: 23/00108/FULHH **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr and Mrs Patel

Address: Osiers 22 Thorpe Road Kirby Cross

Development: Proposed single storey rear extension to extend 6m with roof height to match existing utility room to provide a new kitchen and dining area.

1. Town / Parish Council

FRINTON & WALTON
TOWN COUNCIL
17.02.2023

Recommends - Approval

2. Consultation Responses

Not Required

3. Planning History

23/00108/FULHH	Proposed single storey rear extension to extend 6m with roof height to match existing utility room to provide a new kitchen and dining area.	Current
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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
PPL9 Listed Buildings

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 two storey detached dwelling set back from the front boundary with existing rear extension.

The house is located within the development boundary.

Proposal

This application seeks planning permission for a proposed single storey rear extension.

Assessment

Design and Appearance

The proposal will be sited to the rear of the main house and largely screened from public view by the host dwelling. Due to the open space between the host dwelling and its neighbour some elements of the proposal will be visible from Thorpe Road, however these views will be minimal due to its set back and are considered not to be detrimental to the appearance/ character of the streetscene or existing house.

The proposed addition is of a suitable size and design in relation to the host dwelling and will be finished in materials which are consistent with the existing house.

The site is of a large enough size to accommodate the proposal and still retain a sufficient area of usable private amenity space.

Heritage Impact

Sited to the east of the site is Willow Farmhouse which is a Grade II Listed Building.

The proposal is of a minor addition which will be largely to the rear and a suitable distance away from neighbouring boundaries preventing it from resulting in a harmful impact to the setting/ character of this nearby protected building.

Impact on Neighbours

The proposal will be single storey in design and set off each shared boundary reducing its prominence to each of the neighbouring dwellings. The existing boundary fencing will screen the majority of the proposal preventing it from resulting in a significant loss of amenities to neighbouring dwellings.

Other Considerations

Frinton and Walton Town Council recommend approval for the application.

There have been no letters of representation received.

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 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The works to which this consent relate must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the consent becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk

of both Enforcement Action and Criminal proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

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REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

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.