

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	30/03/2023
Planning Manager / Team Leader authorisation:	AN	30/03/23
Planning Technician final checks and despatch:	ER	31/03/2023

Application: 23/00328/FULHH **Town / Parish:** Frinton & Walton Town Council

Applicant: Mrs Tracy Mann

Address: 18 Sadlers Close Kirby Cross Frinton On Sea

Development: Conversion of existing conservatory into habitable space, new single storey side extension and relocation of entrance door.

1. Town / Parish Council

Frinton and Walton Town Council No objections received

2. Consultation Responses

Not required

3. Planning History

23/00328/FULHH Conversion of existing conservatory into habitable space, new single storey side extension and relocation of entrance door. 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
CP2 Improving the Transport Network

Essex County Council Car Parking Standards - Design and Good Practice

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 semi detached bungalow dwelling with existing conservatory and garage to the rear.

The surrounding area comprises of dwellings of a similar scale and design with many having enlargements and outbuildings to the rear some of which are publicly visible.

Proposal

This application seeks planning permission for the conversion of existing conservatory into habitable space, new single storey side extension and relocation of entrance door.

Assesment

Design and Appearance

The proposed extension will be sited to the rear of the house and set back from the front wall of the host dwelling providing a new Entrance Lobby. This element will be single storey in design and significantly set back from the front boundary which will reduce its prominence and allow it to appear as a subservient feature. The use of materials which match the host dwelling and others within the area will allow it to appear inkeeping within the streetscene. It is noted that the eaves height of the new enlargement will be higher than the existing dwellings however given that the set back of the proposal significantly reduces its prominence this approach is considered not to be so detrimental as to result in a harmful impact to the visual amenity of the house and area which would require the need to refuse planning permission upon.

The conversion of the existing conservatory structure will be to the rear and screened by the host dwelling. There will be no change in terms of the depth allowing for the size of the private amenity space to the rear to remain unchanged and a usable space. The materials will be consistent with the host dwelling and the single storey design will allow it to appear subserviently to the host dwelling.

The alterations and enlargements are considered appropriate to the site and surrounding area and would not significantly alter the character and appearance of such.

Impact to Neighbours

The proposed side extension will be visible to the north however will be set off of the shared boundaries and predominantly screened by boundary fencing and outbuildings within these neighbouring gardens preventing it from resulting in a significant reduction of amenities to these neighbouring properties.

The alterations to the conservatory will not be visible to these neighbours.

The proposed alterations to the rear conservatory will be visible to the adjoining neighbour however this neighbour already has existing views onto the host dwellings conservatory. The proposal will not result in a noticeable increase to the depth of the rear element of the house. As this neighbour already has views of the conservatory and due to the minor nature of this part of the proposal it is considered any loss of amenities resulting from this part of the development would be not so significant to refuse planning permission upon.

The proposed side extension will not be visible to this neighbour as it will be suitably screened.

Highway Safety

The Essex County Council Parking Standards states that where a house comprises of two or more bedrooms that 2no parking spaces should measure 5.5m by 2.9m per space.

The proposal will result in the loss of part of the land currently used for parking. However the house and development are set back from the front boundary with a large area forward of the house which is of a suitable size to accommodate at least two vehicles in line with the above standards preventing the proposal from contravening highway safety.

Other Considerations

Frinton and Walton Town Council have no objections to the proposal.
There have been no letters of representation received.

Conclusion

In the absence of a 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.

0060-A-200

0060-A-002

0060-A-001

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.