

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION		INITIALS	DATE
Planning Officer recommendation:		ER	25/09/2024
EIA Development - Notify Planning Casework Unit of Decision:	NO		
Team Leader authorisation / sign off:		ML	26/09/2024
Assistant Planner final checks and despatch:		ER	26/09/2024

**Application:** 24/01289/HHPNOT      **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mrs Emma Buckley

**Address:** 27 Hadleigh Road Frinton On Sea Essex

**Development:** Prior approval for single storey extension with a dual pitch roof (6m deep from rear wall of original dwellinghouse, 2.921m to eaves, 3.6m maximum height).

**1. Town / Parish Council**

FRINTON AND WALTON  
TOWN COUNCIL                      NOTED

**2. Consultation Responses**

Not applicable to this application.

**3. Planning History**

17/30170/PREAPP    Remove sections of chimney stack and insert steel beams.    Closed                      17.07.2017

24/01289/HHPNO  
T                      Prior approval for single storey extension with a dual pitch roof (6m deep from rear wall of original dwellinghouse, 2.921m to eaves, 3.6m maximum height).    Current

24/01290/LUPRO  
P                      Application for Lawful Development Certificate for Proposed Use or Development for conversion of existing roof to habitable space. Form new box dormer to rear roof slope. 2no new Velux windows to sit on front roof slope. Existing chimney to be removed. Replacement of first floor rear window to match other existing windows.    Current

**4. Relevant Policies / Government Guidance**

The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A

**5. Officer Appraisal (including Site Description and Proposal)**

A prior notification has been received by Tendring District Council in relation to the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A for a single storey extension with a dual pitch roof (6m deep from rear wall of original dwellinghouse, 2.921m to eaves, 3.6m maximum height) at 27 Hadleigh Road Essex CO13 9HQ.

The application house comprises of a two-storey detached dwelling. The house benefits from an existing rear two storey projection, upon research undertaken officers have concluded that as there is no planning permission for this two-storey element that it would have been constructed prior to

1948 and therefore an original feature. The proposal will connect to this element and wrap around it.

Having assessed the proposal against the criteria for the above legislation, the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse. As such it fails to meet criteria to be classed as Permitted Development, and a full planning application is therefore required.

## 6. **Recommendation**

Prior notification refused

## 7. **Reasons for Refusal**

- 1 The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse. As such it fails to meet the criteria for Permitted Development under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

## 8. **Informatives**

Not applicable

## 9. **Equality Impact Assessment**

In making this recommendation/decision regard must be had to the public sector equality duty (PSED) under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions that in summary include A) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; B. Advance equality of opportunity between people who share a protected characteristic\* (See Table) and those who do not; C. Foster good relations between people who share a protected characteristic\* and those who do not, including tackling prejudice and promoting understanding.

It is vital to note that the PSED and associated legislation are a significant consideration and material planning consideration in the decision-making process. This is applicable to all planning decisions including prior approvals, outline, full, adverts, listed buildings etc. It does not impose an obligation to achieve the outcomes outlined in Section 149. Section 149 represents just one of several factors to be weighed against other pertinent considerations.

In the present context, it has been carefully evaluated that the recommendation articulated in this report and the consequent decision are not expected to disproportionately affect any protected characteristic\* adversely. The PSED has been duly considered and given the necessary regard, as expounded below.

Protected Characteristics *	Analysis	Impact
Age	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral