

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AS	13/6/18
Planning Development Manager authorisation:	AS	14/6/18
Admin checks / despatch completed	AS	15/6/18

*AS*

**Application:** 18/00599/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr Leslie Skinner

**Address:** 54 Garden Road Walton On The Naze Essex

**Development** Stepped access to front of property.

### 1. Town / Parish Council

Frinton & Walton Town Council Recommend approval.

### 2. Consultation Responses

n/a

### 3. Planning History

18/00599/FUL Stepped access to front of property. Current

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

#### Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16<sup>th</sup> June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. Where emerging policies are particularly relevant to a

planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

## **5. Officer Appraisal**

### **Site Description**

The application site is towards the north of Garden Road, at the back of a small development of bungalows accessed via shared footpaths. The site comprises a semi-detached bungalow with small garden areas to the front and rear. The site is within the development boundary of Frinton on Sea.

### **Proposal**

This application seeks planning permission for a replacement stepped access to the front of the property, with steel hand rails to either side.

### **Appraisal**

The main considerations of this application are the visual impact and impact on neighbours.

#### **Visual Impact**

The proposed steps are largely at ground level, with a maximum height of 0.4m, and follow the existing path. The proposed hand is a discrete and open design which will not appear overly intrusive.

#### **Impact on Neighbours**

As the proposal will have very little visual impact and there are no closed elevations, it is considered that there will be no significant impact on neighbouring amenities.

#### **Other Considerations**

Frinton and Walton Town Council support the application.

No other letters of representation have been received.

#### **Conclusion**

In the absence of material harm as a result of the proposed development, this application is recommended for approval.

## **6. Recommendation**

Approval - Full

## **7. Conditions**

- 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: Proposed Site Plan 1:500; Proposed Floor Plan and Elevations 1:100.

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.