

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	RW	12/6/18
Planning Development Manager authorisation:	AN	14/6/18
Admin checks / despatch completed	RW	15/6/18

*RW*

**Application:** 18/00637/FUL **Town / Parish:** Frinton & Walton Town Council

**Applicant:** Mr & Mrs Denise Rathjen

**Address:** 22 Elm Grove Kirby Cross Frinton On Sea

**Development:** Proposed side extension.

### 1. Town / Parish Council

**Frinton & Walton Town Council** Recommend approval.

### 2. Consultation Responses

n/a

### 3. Planning History

18/00637/FUL      Proposed side extension.      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

Local Planning Guidance

Essex Design Guide

#### 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The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 on the north side of Elm Grove. The site comprises a detached bungalow, with existing lean-to extension on the west side. There is off street parking to the front and a private garden to the rear. The site is within the Development Boundary of Frinton on Sea.

### **Proposal**

This application seeks planning permission for a single storey side extension, following the demolition of the existing single storey lean-to. The proposal will be in the same position as the existing lean-to, but will be slightly small - the depth decreasing from 9.02m to 8.91m, and the width from 2.44m to 2.36m. The roof will be flat, with an overall height of 2.7m. The external walls will be finished in facing brickwork to match the host dwelling, while the roof will be a single ply membrane.

### **Appraisal**

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

#### **Visual Impact**

The proposed extension is sited to the side of the property, so will be visible from the highway. However, as the size is very similar to the existing lean-to, it will not appear overly dominant. The use of matching materials will create a sense of cohesive development, while the scale remains in keeping with the host dwelling. The proposed window opening to the front will use materials which match the existing front windows, and the addition of a window will not harm the appearance or character of the dwelling.

#### **Impact on Neighbours**

The proposed extension is 0.3m higher at the boundary with 24 Elm Grove than the existing lean-to. The 45 degree daylight/sunlight test shows that there will be no significant impact on neighbouring daylight or outlook as a result of the extension. No side windows are proposed that will impact neighbouring privacy.

#### **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 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: Drawing no's. 1018/05 (Proposed Block Plan), 1018/04 (Proposed Elevations), 1018/02 (Proposed Floor Plan) and 1018/05 (Proposed Roof 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.