

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	LN	25/07/2018
Planning Development Manager authorisation:	SCE	27-07-18
Admin checks / despatch completed	<i>me</i>	27/07/18

Application: 18/00890/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr & Mrs Reynolds

Address: 3 Richard Avenue Brightlingsea Colchester

Development: Reduction in size of existing extension (Previously approved under 07/01457/FUL)

1. Town / Parish Council

Brightlingsea Town Council No comment on the application

2. Consultation Responses

N/A

3. Planning History

07/01457/FUL	Residential single storey rear and side extension.	Approved	24.10.2007
18/00890/FUL	Reduction in size of existing extension (Previously approved under 07/01457/FUL)	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018
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 County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 48 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 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's

initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. 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 48 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 (including Site Description and Proposal)

Site Description

The application site is located inside the development boundary of Brightlingsea, with Brightlingsea Conservation Area adjacent to the rear boundary of the site. The site serves a semi detached dwelling with attached single storey garage, constructed of brick with a tile roof. The front of the site is entirely hard surfaced with a front boundary wall across part of the site frontage. There is currently no external access to the rear garden area.

Proposal

The application proposes a reduction of the size of the existing single storey extension approved and built under reference 07/01457/FUL. It measures 2.2m wide by 6.7m deep and sets the extension back 0.45m from the front elevation. It has a hipped roof with eaves height of 2.2m and a maximum height of 3m. The proposed materials will be brickwork and roof tiles to match those used on the existing dwelling, and the reduction in size will provide a distance of 0.5m between the boundary and extension providing external access to the rear of the site.

Assessment

The main considerations of this application are the design, parking and the impact on residential amenity.

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Design and Parking

The proposed development is considered to be of a scale and nature appropriate to the site and the surrounding area. The extension replaces a larger extension that is already in situ at the site so the precedent for development is already set. The extension is set back from the front elevation and is further away from the boundary in comparison to the existing side extension. Due to this and its hipped roof it is considered that the extension is a subservient addition, and the use of matching materials makes the development appropriate in terms of the impact of the development on the street scene and its design.

The proposal results in the loss of the garage at the site, however the site frontage is entirely hard surfaced and has sufficient parking for 2 no. cars, so there is no objection to the level of off street parking still available at the site.

Impact on Residential Amenity

The proposed extension is located to the north side of the property so the only neighbour affected by the proposal would be the neighbour to the north, No. 5 Richard Avenue. However, the proposed extension is located further from the side boundary than the existing development, so any possible impact upon the neighbour is reduced. Furthermore, there is a 1.8m fence dividing the plots so the insertion of the new door to the side elevation will not cause any issues of overlooking. The proposed single storey development is therefore not considered to have any adverse impact on the daylight, privacy or other amenities currently enjoyed by neighbouring property.

Other Considerations

Brightlingsea Parish Council has no comment on this application.

No letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the 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 plan: Drawing No. P01.

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.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO