

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	10/08/2018
Planning Development Manager authorisation:	SCE	10.08.18.
Admin checks / despatch completed	KAL	10/08/18

**Application:** 18/00937/FUL **Town / Parish:** Brightlingsea Town Council

**Applicant:** Mr & Mrs Bloom

**Address:** East End Green Farm East End Green Brightlingsea

**Development:** Proposed variation to condition 2 of applications 16/01297/FUL and 16/01298/LBC - to change materials.

### 1. Town / Parish Council

Brightlingsea Town  
Council

No Objections

### 2. Consultation Responses

Not applicable

### 3. Planning History

90/00294/FUL	Alterations of offices and games room to form two holiday cottages.	Refused	11.06.1991
12/00581/FUL	Rear orangery extension.	Withdrawn	08.08.2012
12/00582/LBC	Rear orangery extension.	Withdrawn	08.08.2012
12/01276/FUL	Proposed single storey extension and replacement of 5 No sash windows to rear of property.	Approved	07.01.2013
12/01277/LBC	Proposed single storey extension and replacement of 5 No sash windows to rear of property.	Approved	07.01.2013
16/01297/FUL	Proposed rear infill single-storey garden room extension and associated internal alterations.	Approved	21.10.2016
16/01298/LBC	Proposed rear infill single-storey garden room extension and associated internal alterations.	Approved	23.11.2016
18/00937/FUL	Proposed variation to condition 2 of	Current	

applications 16/01297/FUL and  
16/01298/LBC - to change  
materials.

18/00938/LBC

Proposed variation to condition 2 of Current  
applications 16/01297/FUL and  
16/01298/LBC - to change  
materials.

#### **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

EN22 Extensions or Alterations to a Listed Building

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

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

SPL3 Sustainable Design

PPL9 Listed Buildings

#### **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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

East End Green Farm is a Grade II listed building. It was listed on 20th April 1987. Various C20 extensions and alterations had taken place before the listing; and further upgrades to the site have taken place since the listing.

The site is on the south side of Mill Lane, and backs onto backwaters looking across to St Osyth. There are neighbours to the west, and open farmland to the east. The site is surrounded by mature trees and hedging, and is well screened from the surrounding environment except to the south which has more open view across the backwaters.

### Proposal

The application seeks to vary the approved application 16/01897/FUL to allow for the change of materials to add black shiplap weather boarding to match the opposite element. The application is also accompanied by a Listed Building Consent 18/00938/LBC to vary the materials.

### Assessment

The main considerations for this application are the principle of development, scale, layout and appearance, impact on residential amenities and impact upon the Listed Building.

#### Principle of development

The principle of development has been established through the planning history of the site through planning application 16/01894/FUL which this application seeks to vary.

#### Scale, Layout and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The changes proposed are simply to the finished materials. All other aspects of the design remain as previously approved. In this case the addition of shiplap weather boarding to the south easterly elevation is considered to be acceptable and would not result in a material change to the overall appearance of the development. The shiplap weather boarding will be in keeping with the materials proposed for the south west elevation under application 16/01894/FUL.

#### Impact on Residential Amenities

The addition of weather boarding to the south west elevation will not cause any significant impact upon residential amenities due to the host dwelling being well screened from any views of neighbouring dwellings. Therefore it is considered that the variation will not cause an adverse impact upon residential amenities.

#### Impact on the Listed Building

Policy EN22 of the Saved Plan states that development involving proposals to extend or alter a Listed Building will only be permitted where; it would not result in the damage or loss of features of special architectural or historic interest; and the special character and appearance or setting of the

building would be preserved or enhanced. These requirements are carried forward to Policy PLA8 of the Draft Plan which also requires the use of building materials, finishes and building techniques that respect the listed building and its setting.

The materials proposed for the south eastern element are not considered to result in any overly dominant feature against the listed building and therefore it will not be harmful to the character of the listed building and it is considered to enhance the overall appearance of the dwelling.

#### Other Considerations

Brightlingsea Town Council have no objection to the application.

No letters of representation have been received.

Conclusion In the absence of any material harm resulting from the amended proposal, the application is recommended for approval.

### 6. Recommendation

Approval - Full

### 7. Conditions / Reasons for Refusal

- 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. 1395/1601-1A and Drawing No. 1395/1601-2B

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.

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