

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	12/09/2018
Planning Development Manager authorisation:	AN	17/9/18
Admin checks / despatch completed	SB CD	17/09/18 17/09/18

Application: 18/01181/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr & Mrs J Smith

Address: 16 Park Drive Brightlingsea Colchester

Development: Proposed two storey, single storey and first floor rear extensions.

1. Town / Parish Council

Brightlingsea Town Council No objection to the application

2. Consultation Responses

n/a

3. Planning History

10/00511/FUL	Single storey rear extension plus other alterations.	Approved	11.06.2010
18/01181/FUL	Proposed two storey, single storey and first floor rear extensions.	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
HG9 Private Amenity Space

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site is west facing and situated within the development boundary of Brightlingsea. The main property is a semi-detached brick built house under a concrete tiled roof. The front elevation at first floor level has been finished in painted render, while the rear elevation at first floor level has the original finish of white UPVC boarding. A single storey rear conservatory type extension was added in 2010. A concrete driveway runs along the south side of the property which leads to a detached flat roof single garage. The back garden is enclosed with fencing and is mainly laid to lawn. There are mature trees and hedges bounding the garden and providing privacy to the occupiers.

Description of Proposal

The application proposes the erection of a single storey and two storey rear extension. The ground floor element will project from the existing single storey extension by 1.8 metres. From the rear of the original dwelling the ground floor element will measure a maximum of 4.85 metres in depth, 5.4 metres in width, with a flat roof height on the northern side of 2.8 metres. The flat roof on the single storey element will incorporate a roof lantern. The two storey element will sit above the southern part of the ground floor element and will measure a maximum of 4.85 metres in depth, 3.3 metres in width with an overall ridge height of 6.08 metres. The height to the eaves of the two storey element is 4.7 metres.

The ground floor will accommodate a kitchen and dining area, where one window will face east and there will be east facing French doors. High level windows will give light to the dining area on the south side. The first floor will extend an existing bedroom and make room for an en-suite. One rear facing window will serve the extended bedroom.

The materials used will match the existing dwelling.

Assessment

The design and appearance, impact on neighbouring properties and residential amenity are the main considerations for this application.

Design and Appearance

Although the proposal is located at the rear of the property it will be visible from Park Drive, between the houses of numbers 16 and 14. The use of matching materials however, will ensure that it is not prominent in the street scene and there will be no significant impact to the existing dwelling or immediate area.

The hipped roof design and lower ridge height help the extension roof tie in effectively with the existing. The two storey extension is stepped in from the existing south side elevation by 0.55 metres, thereby helping to reduce any visual impact by creating a break in the expanse of wall visible on this side.



Impact upon Residential Amenity

The two storey rear extension is a distance of 3.25 metres from the south side boundary shared with 14 Park Drive. The driveways of 16 and 14 Park Drive run alongside each other to the south of the dwelling of 16 Park Drive which ensures a degree of separation is created between the houses and therefore there will be no significant impact to loss of light at 14 Park Drive.

The Essex Design Guide makes reference to The Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight" 1991 which suggests that obstruction of light and outlook from an existing window is avoided if the extension does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone. Using the sunlight/daylight calculations specified in the Essex Design Guide the 45 degree line down from the two storey extension roof would catch the bottom corner of the kitchen window of 18 Park Drive in elevation, and the 45 degree from the rear two storey extension would intercept the whole of the kitchen window and part of the dining room window at 18 Park Drive in plan. The loss of light that the proposal will cause is not considered so significant as to justify refusing planning permission on these grounds.

There is no significant additional risk of overlooking or loss of privacy from the two storey extension, as the newly created rear facing bedroom window replaces the window which served the existing bedroom on the existing rear elevation. No new openings are being created at the first floor on the new side elevations.

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 100 square metres of private amenity space for a property with three or more bedrooms. More than 150 square metres of private amenity space will remain at 16 Park Drive following the construction of the proposal which is considered more than adequate. The current off road car parking arrangements will not be impacted by the proposal; the driveway and garage are unaffected.

Other Considerations

Brightlingsea Town Council has no objection to the planning application.

No other letters of representation have been received.

Conclusion

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 plans: Drawing no. 01 Revision A

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:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO

