

DELEGATED DECISION OFFICER REPORT

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

Application: 18/01117/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr & Miss A & S Smith & Cook

Address: 6 Love Lane Brightlingsea Colchester

Development: Proposed single storey rear extension following demolition of existing conservatory and extension.

1. Town / Parish Council

Brightlingsea Town Council No objection to the application

2. Consultation Responses

n/a

3. Planning History

18/30016/PREAPP	Extend previous extension out 1mtr further with 6mtr Bi-fold doors - going to full width of rear of house.	12.03.2018
18/01117/FUL	Proposed single storey rear extension following demolition of existing conservatory and extension.	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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 south east facing and situated within the development boundary of Brightlingsea. The main property is a brick built detached house under a concrete tiled roof. The house has been previously extended to the front and the rear. In front of the house is a small grassed area and concrete hardstanding which forms a driveway for car parking. To the rear, the garden is enclosed by fencing on all sides. There is an area of decking immediately behind the house for sitting out and the rest of the garden is grassed.

Description of Proposal

The application proposes the erection of a single storey rear extension following the demolition of the conservatory. The proposal will measure a maximum of 3.296 metres in depth, 8.356 metres in width with an overall height of 3.5 metres. The height to the eaves is 2.4 metres. The space created will extend the existing kitchen and offer a living area. To the rear, large bi-folding doors will open onto the garden, while 4 roof lights will allow additional light into the room. The brickwork will match the existing dwelling. The roof tiles will be grey in colour while the bi-fold doors will be finished in black aluminium.

Assessment

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

Design and Appearance

The rear extension will not be visible from Love Lane due to its position at the rear; the tight knit built form of the neighbouring properties also means that the extension cannot be glimpsed between the houses ensuring that there will be no significant impact to the street scene. The use of materials that tie in with the existing dwelling ensures that the proposal will not look out of place and will not have a significant impact on the existing dwelling or the immediate area. The rear extension replaces the existing conservatory and part of a previous kitchen extension therefore minimising the additional footprint of the extension. The expanse of glass on the rear elevation creates a contemporary look which works well and contrasts with the red brick of the existing dwelling.

Impact upon Residential Amenity

Due to the position of the proposed rear extension and its single storey nature there will be no significant impact to the neighbouring properties of 4 and 8 Love Lane, or 1 Tabor Close in terms of loss of light, privacy or outlook.

125 square metres of amenity space remains following construction of the proposal which is considered adequate. There will be no change to the current parking provision.

Other Considerations

Brightlingsea Town Council has no objection to the 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

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