

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	19/03/2019
Planning Development Manager authorisation:	AN	25/3/19
Admin checks / despatch completed	AN	26/3/19

ER

Application: 19/00145/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Codie Sparks

Address: 34 Planton Way Brightlingsea Colchester

Development: Proposed single storey side and rear extension.

1. Town / Parish Council

Brightlingsea Town Council Supports application

2. Consultation Responses

n/a

3. Planning History

19/00145/FUL Proposed single storey side and rear extension. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019
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
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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

The application seeks permission for the erection of a single storey rear and side extension to a house located within the development boundary of Brightlingsea.

Design and Appearance

The rear and side extension will wrap around the semi-detached house with a mono pitched roof which ties the extension cleanly to the host dwelling following the removal of the detached garage. The use of matching materials will be used throughout the extension to help ensure that there will be no significant impact to the character of the existing dwelling or the immediate area.

Impact upon Residential Amenity

The side element of the extension is a minimum distance of 0.6 metres from the eastern side boundary shared with 32 Planton Way. The driveway of 32 Planton Way runs alongside the proposed extension which ensures a degree of separation is created between the houses and therefore there will be no significant impact to loss of light at 32 Planton Way.

Due to the close proximity to the western boundary the proposal has the potential to result in a loss of light to the neighbour at 36 Planton Way and therefore the calculations specified within the Essex Design Guide have been applied. The 45 degree line in plan would intercept less than half of the double doors on the rear elevation of 36 Planton Way and in elevation it would intercept just over half of the rear double doors at 36 Planton Way. It is therefore considered that the loss of light is not so significant to justify refusing planning permission.

There is no significant additional risk of overlooking or loss of privacy to either neighbour from the proposed extension due to its single storey nature.

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. Following construction of the proposal the minimum of 100 square metres of private amenity space will remain which is considered adequate.

The current detached garage at the eastern side of the house does not meet the current car parking standards where the internal dimensions should be 7 metres x 3 metres. Following the demolition of the garage and construction of the proposal there will be enough space in front of the house for two cars to park off the road that meets the current parking standards where one space measures 2.9 metres x 5.5 metres.

Other Considerations

Brightlingsea Town Council supports 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: Dwg. 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:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO