

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AW	28/3/19
Planning Development Manager authorisation:	AW	28/3/19
Admin checks / despatch completed	AW	28/3/19

AW

Application: 19/00063/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Miss Samantha Singleton-Parkes

Address: Lower Farm Cottages The Hollies Lower Farm Lane

Development: Proposed extension and alterations to existing two storey dwelling. - Minor alterations to previously approved 17/00382/FUL.

1. Town / Parish Council

 **Brightlingsea Town Council** No objection.

2. Consultation Responses

n/a

3. Planning History

12/01423/LUEX	The occupation of the dwelling by a person or persons not employed or last employed in agriculture or forestry (or dependents of such a person or persons) contrary to condition 3 of planning permission TEN/591/74	05.03.2013
17/00382/FUL	Proposed extension and alterations to existing two storey dwelling.	Approved 03.05.2017
17/01725/FUL	Variation of condition 2 of approved application 14/01642/FUL -To allow the proposed development to be carried out in accordance with the newly submitted plans.	28.11.2017
19/00063/FUL	Proposed extension and alterations to existing two storey dwelling. - Minor alterations to previously approved 17/00382/FUL.	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

EN3 Coastal Protection Belt

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

PPL2 Coastal Protection Belt

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

This application seeks planning permission for a two storey front and side extension, and single storey rear extension to a dwelling outside the development boundary and within the Coastal Protection Belt. Planning permission was granted for a similar proposal in 2017, and this application is to amend the proposal by: reducing the depth of the ground floor rear extension, altering the number and position of windows on the side elevation, and amending the glazing to the first floor front bedroom (leading onto the front balcony). Solar panels are also shown on the amended plans, but as they do not require planning permission they will not be considered as part of this application.

Design and Appearance

As planning permission has previously been granted for a similar proposal, the principal of the extensions is already established. The reduction of the rear extension will reduce its impact, and increase private amenity space to the rear of the dwelling. The changes to the proposed windows on the side elevation will have neutral impact. The alteration of the glazing to the front bedroom

and balcony will affect the appearance of the proposal - but the amended design is considered acceptable, and is in keeping with the character of the host dwelling. The amendments will not have a harmful impact on the Coastal Protection Belt.

Impact on Neighbours

The proposed amendment to the approved design will not impact neighbouring properties with regards to daylight, outlook. The proposed first floor side windows still serve bathrooms, so will be obscure glazed. However, due to the position of the dwelling relative to its southern neighbour, these windows would only look into the public facing front garden of the neighbouring dwelling. There is therefore no need to impose a condition requiring the window to be obscure glazed in perpetuity.

Other Considerations

Brightlingsea Town Council has no objection to the application.

No other letters of representation have been received.

Conclusion

In the absence of material harm as a result of the proposed development, this 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's. P02 and P04.

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

