

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	15/05/2019
Planning Development Manager authorisation:	SCE	31.05.19
Admin checks / despatch completed	SB	03/05/19

Application: 19/00577/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr Nigel Little

Address: 12 Charles Road Brightlingsea Essex

Development: Proposed single storey rear extension.

1. Town / Parish Council

Brightlingsea Town Council Supports the application

2. Consultation Responses

N/A

3. Planning History

19/00577/FUL Proposed single storey 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
EN17 Conservation Areas
HG9 Private Amenity Space

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SPL3 Sustainable Design
PPL8 Conservation Areas

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Application Site

The application site comprises of an east facing semi-detached dwelling with adjacent garage. Sited to the front is an existing area currently used for parking.

Proposal

This application seeks permission for the erection of a single storey rear extension.

Assessment

Design and Appearance

The proposal will be sited to the rear however minor elements will be publicly visible from Charles Road through the spacing between the host dwelling and neighbour of 10 Charles Road.

Whilst parts of the extension will be publicly visible as the proposal will be set back from the front of the site and comprise of a single storey design it is considered that it would not appear as a prominent or harmful feature within the streetscene.

The proposal is of an appropriate size to the existing house and will be finished in materials which are consistent with the host dwelling.

The rear extension will have a flat roof with a roof lantern. Whilst these design aspects are not consistent with the main house as the proposal will be largely screened from public view by the host dwelling they would not result in a harmful impact to the overall appearance of the dwelling or streetscene.

The site is of a large enough size to accommodate the proposal and still retain sufficient private amenity space.

Heritage Impact

The site is close to the Brightlingsea Conservation Area however as a result of its small scale nature the proposal would not result in a harmful impact to views onto this protected area.

Impact to Neighbours

The neighbour to the south 14 Charles Road has previously been extended by way of a single storey rear extension approved under 14/00178/FUL. This proposal will not extend past this neighbours extension and would therefore not result in a loss of residential amenities to this adjacent dwelling.

The proposal will be visible to the dwelling to the north of the site known as 10 Charles Road. This neighbouring dwelling is single storey in design and is set off of the shared boundary by 6.5m. It also has a number of openings along its side elevation as well as a rear conservatory facing the

application dwelling with a fence along the boundary. These openings currently look onto the existing boundary fence and application dwelling meaning that they currently do not receive a lot of outlook and light. The proposal will reduce this further however it is noted that the proposal will be set off of the boundary and will be a total distance of 11m to this neighbours house. Due to the small scale of the proposal and as the neighbours' windows currently receive little light and outlook it is considered any impact to residential amenities to these side windows would not be so significant to refuse planning permission upon.

The proposal will result in a loss of light and outlook to the rearward facing openings of this neighbour and therefore the Sunlight/ Daylight Calculations contained within the Essex Design Guide have been applied. The 45 degree line in plan and elevation would only just intercept the neighbouring property and not any of its openings; therefore the loss of light in this case is not so significant to refuse planning permission upon.

Furthermore as the proposal will have a flat roof and be sited sufficiently away from this neighbour is also considered that the loss of outlook is not so significant to refuse planning permission upon.

The proposal does comprise of openings which will serve the new kitchen/ dining area however these are to the rear and will not result in a loss of privacy to the neighbouring properties.

Other Considerations

Brightlingsea Town Council recommends approval for the application.
No father letters of representation have been received.

Conclusion

In the absence of material harm resulting from the proposal 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: 197-003 and 197-004.

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.