

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	28/06/2019
Planning Development Manager authorisation:	gkg	28/06/2019
Admin checks / despatch completed	KNE SB	28/06/19. 28/06/19.

Application: 19/00452/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr & Mrs Richard Clark

Address: 14 Pertwee Close Brightlingsea Colchester

Development: Single storey side and front extension, new pitched roof to existing single storey side extension and dormer extension to the front elevation.

1. Town / Parish Council

Brightlingsea Town
Council

2. Consultation Responses

N/A

3. Planning History

78/00575/FUL	Erection of 40' high radio mast	Approved	30.05.1978
19/00452/FUL	Single storey side and front extension, new pitched roof to existing single storey side extension and dormer extension to the front elevation.	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

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 Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Site Description

The application site refers to 14 Pertwee Close, Brightlingsea, Colchester which is a detached one and a half storey dwelling located within the development boundary of Brightlingsea.

Proposal

The application seeks planning permission for the erection of a single storey side, front extension, new pitched roof to the existing single storey side extension and a dormer extension to the front elevation.

The proposed single storey side extension will measure 2.8 metres in width, 8.1 metres in depth with an overall height of 2.7 metres (3.5 metres in height with the roof lantern).

The proposed front extension will measure 5.6 metres in width, 5.5 metres in depth with an overall height of 2.7 metres in height (3.5 metres in height with the roof lantern).

The change in pitch of the existing single storey side extension will increase the height of the extension from 2.7 metres to 5.4 metres.

The proposed dormers will match the fenestration of the existing rear dormer.

Assessment

The main considerations for this application are the design and appearance, impact upon neighbouring amenities and impact on trees.

Design and Appearance

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed side extension will be single storey and located to the north eastern elevation of the host dwelling and due to the proposal being set back from the highway by approximately 7.5 metres as well as the proposal being constructed from facing brickwork, three layer felt to flat roof, double glazed UPVC windows and doors which will match the host dwelling, the extension dwelling is not considered to cause any significant impact upon the street scene and it is considered acceptable in terms of design and appearance.

The proposed front extension will be visible from the street scene however due to the plans being amended so that the ridge height of the proposal matches that of the host dwelling as well as the single storey nature of the proposal and the use of matching materials, it is considered that the front extension will not cause any impact upon the street scene of Pertwee Close.

The proposed change of pitch to the existing single storey side extension to the southern elevation of the host dwelling will be visible from the street scene however due to the proposal being set back from the highway as well as the pitch matching that of the host dwelling, it is considered that the proposal is in keeping with the host dwelling and it will not cause any significant impact upon the street scene.

The proposed dormer to the front elevation will be visible to the street scene. The proposal will match the fenestration of the rear dormer and due to the use of matching materials, it is considered that the proposal will not cause any significant impact upon the character of the area.

Impact upon neighbouring amenities

The proposed front and side extension will be located to the north easterly elevation and although partially visible to the neighbouring dwelling number 3 Marenes Crescent, due to the distance and the single storey nature of the proposals, it is considered that the proposals will not cause any impact upon the neighbouring dwelling. The proposals will be visible to number 12 Pertwee Close, however, due to the single storey nature of the proposal as well as the existing fence and vegetation which will help to screen the extensions, the proposals are not considered to cause any significant impact upon neighbouring amenities. The proposed lantern roof lights are high level meaning that there will be no overlooking or loss of privacy to neighbouring properties from these windows and are for light purposes only.

The change of the existing roof pitch from flat to dual pitched will only be visible to the neighbouring dwelling to the south, number 3 Marenes Crescent as the extension is to the southern elevation of the host dwelling. It is considered that due to the roof pitch sloping away from the neighbouring amenities, reducing any loss of light, the proposal will not cause any significant impact upon neighbouring amenities.

The proposed dormer is to the front of the application site. Views towards to the frontages of the dwellings, will be possible from the dormer windows. However, a good distance is retained between these dwellings and views will only be toward to the front gardens and therefore not considered significantly harmful to residential amenities.

Impact on trees

The boundary of the front garden of the property to which this application relates is demarcated by an established conifer hedge that has been regularly clipped and maintained at a height of approximately 3m. It provides a good level of screening.

In the front garden there is an established Silver Birch (*Betula pendula*) that can be seen above the hedge and makes a strong, positive contribution to the appearance of the public realm. The tree is set at a sufficient distance from the proposed extension that it is not threatened by the development proposal.

There is also an established Magnolia (*Magnolia soulangiana* 'Rubra') in the front garden that is an attractive specimen. However its size is such that it can only just be seen above the boundary hedge or when passing the vehicular access to the property. It appears that this tree may need to be felled in order to facilitate the development proposal and this will not have a significant detrimental impact on the public realm in the immediate vicinity.

Taking into account the benefits provided by the existing vegetation on the property there does not appear to be a need to secure new soft landscaping as part of the development.

Other considerations

Brightlingsea Parish Council have no objection to the application.

No letters of representation have been received.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

- 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 plan: Drawing No. 1019/01 Rev B and Drawing No. 1019/02 Rev B.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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