

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	17/09/2019
Planning Development Manager authorisation:	JF	23/09/2019
Admin checks / despatch completed	SB	23/09/2019
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	23/9/19

Application: 19/01131/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr J Pilkington

Address: 82 Church Road Brightlingsea Colchester

Development: Platform with stepped access and hand rails.

1. Town / Parish Council

Brightlingsea Town Council Supports application

2. Consultation Responses

n/a

3. Planning History

80/00828/FUL Proposed sun lounge Approved 02.12.1980

86/01595/FUL Vehicular access Approved 15.12.1986

19/01131/FUL Platform with stepped access and hand rails. 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Local Plan: Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 permission for the construction of a platform with stepped access and hand rail to the existing front door of a detached bungalow located in the development boundary of Brightlingsea.

Design and Appearance

The new platform and stepped access will be at the front of the bungalow and visible from Church Road however the low level design and set back nature of the bungalow will not have a significant impact on the character of the host dwelling or the immediate area.

Impact upon Residential Amenity

The low level design of the proposed platform, stepped access and hand rail ensures there will be no significant impact to the immediate neighbour at 80 Church Road.

The proposed platform, stepped access and hand rail will be constructed on the existing path from the front boundary to the front door and from the driveway at the side of the bungalow to the front door. The proposal does not encroach on space currently used for off road car parking and therefore this remains unaffected.

Other Considerations

Brightlingsea Town Council supports 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: Proposed Elevations 1:100 and Proposed Floor Plans 1:50.

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