

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SB	15/11/2019
Planning Development Manager authorisation:	TF	20/11/19
Admin checks / despatch completed	CC	20.11.19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	LA	20/11/19.

Application: 19/01450/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr T Barrett

Address: Stableview Folkards Lane Brightlingsea

Development: Proposed detached workshop store and flue for wood burner.

1. Town / Parish Council

Mrs Brightlingsea Town Council No Objection to the application.

2. Consultation Responses

N/A

3. Planning History

19/01450/FUL Proposed detached workshop store Current
and flue for wood burner.

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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 (including Site Description and Proposal)

Application site

The application site is located outside of the development boundary of Brightlingsea. It serves a detached two storey dwelling constructed of brick with a tiled roof with 3 dormer windows to the front elevation. The host dwelling is down a private road located next to a listed building. The front of the site is mainly paved for parking, with grass areas to both sides. The north and south front boundaries are made up of close boarding fencing.

Proposal

This application seeks planning permission for the erection of an outbuilding to the front and a flue attached to the south side of the host dwelling. The proposed outbuilding is proposed to be located to the south side of the frontage and will measure a depth of 3m, width of 2.5m and have a pitched roof with a maximum height of 3.6m. The proposed flue has already been erected and the height from the existing roof level is 0.9m.

The proposed materials throughout the proposed development will consist of timber, with a tiled roof. The proposed tiles will match those used on the dwelling house.

Assessment

The main considerations of this application are the design and the impact upon residential amenity.

Policy Considerations

The adopted Tendring District Local Plan (2007) Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and protects or enhances local character, and the development will not have a materially damaging impact on the privacy, daylight and other amenities of occupiers of nearby property. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) carries forward the sentiments of these saved policies.

Design and Appearance

The proposals are considered to be of a scale and nature appropriate to the site and the surrounding area. Although the outbuilding will be located to the front of the dwelling this will not be seen from Regent Road, but will be visible on Folkards Lane. Although there is a listed building that fronts onto Regent Road the proposals will not affect said building due to the orientation of the properties. Also that the host dwelling cannot be seen when facing the listed building due to the fencing, mature planting and tucked away location of the host dwelling on Folkards Lane. It is also important to note that there is an example of an outbuilding that fronts Folkards Lane, therefore a precedent has been set.

Although the proposals will be visible from the Folkards Lane it will not cause any impact on the street scene as there is not a clear character of housing. The design of the development overall is considered to be acceptable.

Impact on Residential Amenity

Due to the location of the proposed single storey outbuilding and flue there will be no impact to the neighbouring properties amenities.

Other Considerations

Brightlingsea Town Council has no objection to the planning application.
No further letters of representation were received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above, and in the absence of any material harm resulting from the development, the application is recommended for approval.

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 plans: Drawing No. SVFL_SK01, File No. 01 and 03.

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