

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	20.12.2019
Planning Development Manager authorisation:	TF	23.12.19
Admin checks / despatch completed	CC	23.12.19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	23/12/19

Application: 19/01664/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr and Mrs Stephen Dart

Address: The Geedons 31 Regent Road Brightlingsea

Development: Single storey side extension.

1. Town / Parish Council

Brightlingsea Town Council Supports the application

2. Consultation Responses

N/A

3. Planning History

93/00681/FUL	One detached bungalow	Approved	10.08.1993
93/01094/FUL	Revision of detailed approval TEN/93/0681 dated 10th August 1993	Approved	02.11.1993
95/00297/FUL	Detached four bedroom chalet bungalow	Withdrawn	10.05.1995
95/00678/FUL	Detached four bedroom chalet bungalow	Approved	25.07.1995
18/00600/FUL	Alterations and extension to existing detached garage to form first floor office accommodation, for use ancillary to the main dwelling.	Approved	11.06.2018
19/01664/FUL	Single storey side 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

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SP1 Presumption in Favour of Sustainable Development

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

Proposal

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

Application Site

The site is located to the West of Regent Road, within the development boundary for Brightlingsea, it is accessed via a private driveway between 29 and 33 Regent Road and is not visible from the streetscene. It serves a two storey detached dwelling constructed of brickwork and render with a pitched tiled roof, rooflights and a roof dormer. There is a stone driveway/area stretching along the East side of the dwelling, with a detached garage and outbuilding. The South of the dwelling consists of the stoned driveway area and a laid to lawn area with shrubbery and a paved path leading to the dwelling. The West side of the dwelling is laid to lawn with a small patio area, and the North side of the dwelling is laid to lawn with a small patio area and shrubbery.

Assessment

Design and Appearance

One of the core planning principles of The National Planning Policy Framework (NPPF) as stated at paragraph 130 is to always seek to secure high quality design. Saved Policies QL9, QL10 and QL11 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging Policy SP1 reflects these considerations.

The proposed extension located at the North side of the dwelling. It is of a size and design appropriate to the existing dwelling, it will measure approximately 3m deep and 4.3m wide, with a maximum height of 2.9m. It is considered that the dwelling can accommodate an extension of this size and retain plenty of private amenity space.

The proposal will be constructed of brickwork and render to match that of the existing dwelling. It will have a flat roof constructed with single ply membrane and an atrium in the centre. The flat roof design is contrasting to that of the existing dwelling however due to the matching materials and atrium it is considered to be in keeping with the host dwelling. As it is not visible from the highway it does not have any adverse impact on the visual amenity of the area.

Impact to Neighbouring Amenities

The NPPF, Paragraph 17, states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. In addition, Policy QL11 of the saved plan states that amongst criteria 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposal is deemed to have no significant impact on loss of privacy, daylight or harm to the amenities of the adjacent neighbours.

Highways

The proposal neither generates an additional need for parking nor decreases the existing parking provision at the site.

Other Considerations

Brightlingsea Town Council have no objections to the proposal.

No letters of representation have been received.

Conclusion

It is considered that the proposed development is consistent with the National and Local Plan Policies identified above. In the absence of material harm resulting from the proposal 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 plan; Drawing No. 63519 03 Rev B, Drawing No. 63519 01 Rev A, Drawing No. 63519 06, Drawing No. 63519 04 Rev C.

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