

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	17/03/2020
Planning Development Manager authorisation:	TF	18/03/2020
Admin checks / despatch completed	CC	18/03/20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	RL	18/03/2020

Application: 20/00059/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr & Mrs Glenn Parker

Address: Stronvar Church Road Brightlingsea

Development: Rear single storey pitched roof bedroom extension. Conversion of existing bedroom to access lobby.

1. Town / Parish Council

Brightlingsea Town Council Supports application

2. Consultation Responses

n/a

3. Planning History

93/00016/FUL	(Stronvar Residential Rest Home, Strangers Corner, Brightlingsea) Front extension and internal alterations	Approved	03.02.1993
93/00440/FUL	(Stronvar Residential Rest Home, Strangers Corner Brightlingsea) Revision to detailed approval TEN/93/0016	Approved	26.05.1993
83/00393/FUL	Extn and change of use of dwelling to form rest home for the elderly	Approved	04.05.1983
87/00114/FUL	Lounge extn and fire escape	Approved	23.02.1987
89/01917/FUL	Single storey rear extn plus additional parking	Approved	06.02.1990
13/00359/FUL	Rear single storey bedroom extension and internal re-modelling at first floor, including the addition of windows at both ground and first floors.	Approved	05.06.2013
16/30115/PREAPP	Single storey extension.		07.06.2016
16/01039/FUL	Rear single storey pitched roof	Approved	26.08.2016

	bedroom extension with loft storage room. Conversion of existing bedroom to access/stair lobby.		
19/01551/FUL	Rear single storey pitched roof bedroom extension with loft storage room. Conversion of existing bedroom to access/stair lobby.	Refused	11.12.2019
20/00059/FUL	Rear single storey pitched roof bedroom extension. Conversion of existing bedroom to access lobby.	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

The application seeks planning permission for the erection of a single storey rear extension to the private residential care home of Stronvar which is located within the settlement development

boundary of Brightlingsea. The proposed extension measures 10.5 metres in depth, 4.45 metres in width with an overall ridge height of 4 metres.

Background

A previous application, reference 19/01551/FUL, for a rear extension with loft storage in the same location was refused permission due to its height of 5.5 metres and close proximity to the new property of Springfield. Under planning reference 16/01039/FUL, planning permission was granted for the same proposal. However this permissions three year time limit expired on 26 August 2019.

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 proposal will see works situated to the rear of the property. Given this, and the revised height of the extension in this application, the extension will not be visible from views from the street scene to the north. The materials to be used will match the existing building ensuring that it will be in keeping with the character of the care home.

The design and scale of the proposed rear extension is acceptable and would result in no material harm to visual amenity.

Impact on Neighbouring Properties

Due to the siting of the proposed extension on the south western side of the existing building there will be no adverse impact to the next door neighbour at Strangers Way due to the separation distance that exists to the dwellinghouse. The proposed extension is in close proximity to the new dwelling of Springfield which lies adjacent to the extension. The garage of Springfield is a distance of 2 metres from the rear extension; the corner of the dwelling of Springfield is a distance of 4 metres from the rear extension, given the height of the proposal and the distance of Springfield from the proposal there will be no significant impact in terms of loss of light or outlook to this neighbour. The proposal has high level obscure glazed windows facing north west which will be secured by condition ensuring no material adverse impact in terms of loss of privacy.

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: Job No. 11011 02 P2 and 11011 01 P4.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), the high level windows on the north west elevation shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

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