

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AP	10/08/2020
Planning Development Manager authorisation:	TF	10/08/2020
Admin checks / despatch completed	DB	11.08.20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	11.08.2020

Application: 20/00596/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr Anthony Martin

Address: Colts House Folkards Lane Brightlingsea

Development: Reconfigure first floor rear extension and construct two storey side timber built extension to create additional rooms and new kitchen on ground floor with improved access to building and rear garden. Demolish steel access stair and balcony and build internal improved access stairway.

1. Town / Parish Council

Brightlingsea Town Council
14.07.2020

Supports application

2. Consultation Responses

n/a

3. Planning History

83/00140/FUL	Single storey extn	Approved	11.03.1983
89/01471/FUL	Change of use of redundant poultry building to commercial use B8 (storage and distribution)	Refused	17.10.1989
12/00742/FUL	Erection of two storey rear extension.	Approved	11.09.2012
14/00920/FUL	Installation of ground mounted P.V. solar panels.	Approved	15.08.2014
20/00596/FUL	Reconfigure first floor rear extension and construct two storey side timber built extension to create additional rooms and new kitchen on ground floor with improved access to building and rear garden. Demolish steel access stair and balcony and build internal improved access stairway.	Current	

4. Relevant Policies / Government Guidance

5.

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

HG9 Private Amenity Space

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

HG14 Side Isolation

EN3 Coastal Protection Belt

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

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

PPL2 Coastal Protection Belt

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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, with further hearing sessions in January 2020. The Inspector issued his findings in respect of the legal compliance and soundness of the Section 1 Plan in May 2020. He confirmed that the plan was legally compliant and that the housing and employment targets for each of the North Essex Authorities, including Tendring, were sound. However, he has recommended that for the plan to proceed to adoption, modifications will be required – including the removal of two of the three Garden Communities 'Garden Communities' proposed along the A120 (to the West of Braintree and on the Colchester/Braintree Border) that were designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033.

The three North Essex Authorities are currently considering the Inspector's advice and the implications of such modifications with a view to agreeing a way forward for the Local Plan. With the Local Plan requiring modifications which, in due course, will be the subject of consultation on their own right, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications – increasing with each stage of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will progress once modifications to the Section 1 have been consulted upon and agreed by the Inspector. 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.

6. Officer Appraisal (including Site Description and Proposal)

Proposal

The application proposes a two storey side extension to a detached house located outside of any settlement development boundary on the outskirts of Brightlingsea which looks to provide additional space for extended family living. The application site also lies within Brightlingsea Reach and St Osyth Marsh Coastal Protection Belt.

Design and Appearance

The proposed two storey side extension will adjoin the existing two storey rear extension following the demolition of the external steel staircase on the north eastern elevation. The existing two storey rear extension already has a ridge height lower than the original house and the proposal will be stepped down from this by a further 0.28 metres. The proposal will be set back from the front elevation of the original house by 6.7 metres and from Folkards Lane by at least 20 metres, this along with the reduced ridge height create an extension that does not dominate the original dwelling with a low pitched roof that offers uncomplicated roof lines. The external materials will match the existing dwelling of red stained larch horizontal cladding with lighter stained vertical cladding as banding on the front and north east facing elevations which serves to break up the mass of colour and offers a contrasting contemporary appearance.

Saved Policy HG12 of the Tendring District Local Plan 2007 permits extensions to an existing dwelling outside of Settlement Development Boundaries however the development must satisfy the general criteria set out in Policies QL9 and QL10 and, in addition, that it is of a size, scale and height in keeping with the character of the locality and in terms of design and materials would make a positive visual contribution to its setting and is well related and in proportion to the original dwelling. In this case the two storey extension is notably set back from the front elevation with a lower ridge height than the existing dwelling representing a subservient addition ensuring its acceptability in this regard.

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

Coastal Protection Belt

Saved Policy EN3 of the Tendring District Local Plan 2007 confirms that the purpose of the Coastal Protection Belt is to protect the unique and irreplaceable character of the Essex coastline from inappropriate forms of development. Draft Policy PPL2 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) goes on to say that the undeveloped coast of Tendring District has an important role in terms of quality of life for residents and visitors, not only in terms of visual amenity but in terms of access to the natural environment.

The proposal will not have a substantial impact on the Coastal Protection Belt as the proposal increases the size of an existing two storey dwelling within the confines of the existing curtilage ensuring the protection of coastal views and open character of the local landscape.

Impact upon Residential Amenity

Due to the separation distance of 32 metres between the host dwelling and the nearest neighbouring property to the south west and the distance of over 100 metres to the nearest neighbour to the north east there will be no significant impact to these properties in terms of loss of privacy, light or outlook.

The parking at the property is not affected by the proposal and at least 300 square metres of private amenity space remains which is considered more than adequate.

Other Considerations

Brightlingsea Town Council support 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.

7. Recommendation

Approval - Full

8. 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: dwg no 0/A100/PR/002 rev A, 0/A100/PR/001 rev A, 0/A100/PR/003 rev A, 0/A200/PR/001 rev A and 0/A200/PR/002 rev A.

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

9. 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