

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	24/08/2020
Planning Development Manager authorisation:	AN	24/08/2020
Admin checks / despatch completed	CC	24.08.2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	24.08.2020

**Application:** 20/00850/FUL **Town / Parish:** Brightlingsea Town Council  
**Applicant:** Mr & Mrs Butcher  
**Address:** Furze Mead Cottage Lower Park Road Brightlingsea  
**Development:** Proposed first floor rear extension, balcony and minor alterations to allow for new windows and doors.

### **1. Town / Parish Council**

Mrs Brightlingsea Town Council  
31.07.2020 Supports this application

### **2. Consultation Responses**

Not applicable

### **3. Planning History**

01/01522/FUL	Extension and alterations to form granny annexe	Approved	12.10.2001
97/00279/FUL	(Furze Mead, Off Lower Park Road, Brightlingsea) Extensions and new tiled roof over existing extension	Approved	10.04.1997

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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

## **5. Officer Appraisal (including Site Description and Proposal)**

### **Site Description**

This application relates to Furze Mead Cottage, Lower Park Road, Brightlingsea, a two storey detached dwelling.

### **Proposal**

This application seeks planning permission for the erection of a first floor rear extension, balcony and minor alterations to allow for new windows and doors.

### **Assessment**

The main considerations for this application are;

- Design and Appearance
- Impact upon neighbouring amenities
- Other considerations

## 1. Design and Appearance

QL9, QL10 and QL11 of the Tendring District Local Plan (2007) seeks that all new development should make a positive contribution to the quality of the local environment and protect or enhance the local character and that development should not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby property.

The proposed extension and balcony are both located to the rear of the host dwelling and therefore it will not be visible from the street scene of Lower Park Road. There are changes to the fenestration to the rear however due to the minor nature, it is considered that the proposed changes will not cause any impact upon the street scene. The first floor extension will be constructed from materials that match the host dwelling and therefore it is considered acceptable in terms of design and appearance.

## 2. Impact upon neighbouring amenities

There are no immediate neighbours adjacent to the application site. As a result the proposed extension, balcony and changes to the fenestration will not cause any significant impact upon neighbouring amenities.

## 3. Other considerations

Brightlingsea Town Council supports this application.

No letters of representation have been received.

## 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 plan:

Drawing No. P01b

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.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	YES	NO