

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	CC	25/09/2020
Planning Development Manager authorisation:	SCE	06.10.2020
Admin checks / despatch completed	DB	06/10/20
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CD	06/10/20

Application: 20/01092/FUL **Town / Parish:** Brightlingsea Town Council
Applicant: Mr Ashley Bell
Address: 4 Upper Park Road Brightlingsea Colchester
Development: Single storey side and rear extension.

1. Town / Parish Council

Brightlingsea Town Council No Comment

2. Consultation Responses

Not Applicable

3. Planning History

17/01126/FUL	Single storey side and rear extension.	Approved	04.09.2017
20/01092/FUL	Single storey side and rear 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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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, 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)

Proposal

This application seeks permission for the erection of single storey side and rear extensions.

Application Site

The site is located to the east of upper park road, within the development boundary of Brightlingsea. The site serves a detached bungalow finished in brickwork and painted render. There is an attached garage to the north of the site. The surrounding area is comprised from a mixture of two storey dwellings and bungalows of a similar design.

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 side extension will be located to the north of the site and will replace the existing garage. It will measure 3.2 metres wide by 6 metres deep, with a maximum height of 5.1 metres.

The proposed rear extension will measure 8 metres wide by 3.9 metres deep and will have an overall height of 4.2 metres.

The proposed development is considered to be of a size and scale in keeping with the existing dwelling and surrounding area. The site can accommodate for a proposal of this size and design whilst retaining adequate private amenity space.

The proposal will be constructed using materials to match those of the existing dwelling. The exterior walls will be finished in red facing brickwork and painter render and the roof will be of a matching hipped design finished in matching tiles. The proposal will be visible to the streetscene in both 'Upper Park Road' and 'Spring Chase' where there is a second access point to the property. However as the proposed development is deemed to be of a size, scale and design in keeping with the existing dwelling and surrounding area it will not have any adverse effects on the visual amenities 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 proposed side and rear extensions are of a single storey nature and therefore pose no significant threat of overlooking or loss of privacy to the adjacent neighbours.

The proposed side extension will be replacing the existing garage on site and is not thought to have any more of a significant impact or harm to the amenities of the adjacent neighbours.

The proposed rear extension is also replacing a current rear extension at the site, due to this and its siting on the plot the proposed rear extension is not thought to have any significant impact or harm to the amenities of the adjacent neighbours.

Highway issues

The proposal will cause a loss of a current parking space due to the existing garage being replaced, however the plans do show that there is adequate parking provisions located to the rear of the site, access from 'Spring chase'.

Other Considerations

Brightlingsea Town Council have made no comment on the application.

No other 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 Approval

- 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. 785:01

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