

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	JR	18.06.2021
Planning Development Manager authorisation:	JJ	18/06/2021
Admin checks / despatch completed	DB	18.06.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	18.06.2021

Application: 21/00627/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Ms S Ellis

Address: The Collies Lower Farm Lane Brightlingsea

Development: Erection of two storey side and front extension

1. Town / Parish Council

Brightlingsea Town Council Support Application

2. Consultation Responses

N/A

3. Planning History

05/00712/FUL	Rear extension.	Refused	06.06.2005
05/01071/FUL	Rear extension.	Approved	05.08.2005
11/00480/FUL	Removal of Condition 03 of planning permission TEN/591/74, to remove occupancy of dwelling for persons wholly or mainly employed in agriculture.	Refused Allowed at Appeal	14.06.2011
11/00718/FUL	Removal of Condition 03 of planning permission TEN/591/74, to remove occupancy of dwelling for persons wholly or mainly employed in agriculture.	Refused	23.08.2011

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019
National Planning Practice Guidance

QL11 Environmental Impacts and Compatibility of Uses
EN3 Coastal Protection Belt
HG12 Extensions to or Replacement of Dwellings outside Settlement Development Boundaries
HG14 Side Isolation

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

Section 1 (Adopted)

SP7 Place Shaping Principles

Section 2 (Emerging)

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 Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF.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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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.

5. Officer Appraisal

Site Description

The application site is located on the western side of Lower Farm Lane, adjacent to the entrance with Lower Farm. The site comprises of a semi-detached dwelling with a linked garage to the side and an existing single storey rear extension with balcony above. The property was built as an agricultural workers dwelling but the tie has since been removed. The neighbouring property (The Hollies) has been extended significantly. As well as the adjacent farm there are a small number of residential dwellings in the immediate vicinity.

The property is located outside of the settlement development boundary of Brightlingsea and is located within Flood Zone 1 which has a low risk of flooding.

Proposal

The application seeks planning permission to construct a two storey side and front extension. The proposal extends the built form out to the side and front to incorporate and extend the existing garage. A two storey front gabled projection is added with Juliet balcony at first floor and a glazed entrance lobby formed with canopy to the front.

The proposed extension measures 6.65m wide, 8.5m deep, with an eaves height of some 5.4m and a maximum height of some 7.3m. The proposed external materials are timber cladding, concrete tiles, white painted render to match the adjacent property (The Hollies) and uPVC windows and doors.

The proposal would provide two bedrooms and an en-suite at first floor and a new entrance lobby, office, W.C. and games room at ground floor.

Assessment

Although the site is located in the countryside for the purposes of planning, the proposal is to extend an existing residential property to provide additional accommodation, as such the principle of development is supported (see section below).

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. Policy SP7 states that all new development should respond positively to local character and context to preserve and enhance the quality of existing places and their environs. Emerging Policy SPL3 seeks to provide new development which is well designed and maintains or enhances local character and distinctiveness. The development should relate well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials and should respect or enhance local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features. Saved Policy QL11 supports these considerations.

In this instance, Saved Policy HG12 is of primary relevance which deals with extensions to dwellings outside of the defined settlement boundary together with the general design criteria set out within Saved Policy QL11 and emerging Policy SPL3.

Proposals for an extension to an existing dwelling outside the defined development boundaries of settlements will be permitted provided that the extension:

(i) 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;

The character of the surrounding area is fairly rural in nature. The application dwelling is located within a small cluster of dwellings which are mixed in design and style. The application site bordered to the north by a number of farm buildings and open farm land to the rear. The neighbouring dwelling has undergone significant extensions and it is not therefore considered that the proposal would result in an overly prominent built form.

The proposed extension constitutes a large addition to the original dwelling, however given the size of the site, it can comfortably accommodate the proposal without it appearing cramped and would maintain a 1m side isolation. The design of the extension is considered to be acceptable. The extension is forward of the front wall of the main dwelling, however the adjoining property has been extended to the front. The extension and the main dwelling would have a more modern appearance with new glazed entrance, and the external materials would match those of the neighbouring dwelling, thus restoring some cohesion between the two properties.

In conclusion the proposed extension is an acceptable form of development and would not result in a visually harmful intrusion into the surrounding open countryside. The proposal therefore does not accord with this policy requirement.

(ii) is well related and in proportion to the original dwelling;

The proposed extension is of a subservient nature and is set down from the existing ridge and overall, despite being forward of the front wall of the main dwelling is considered to relate well and is proportionate to the original dwelling. The proposal therefore accords with this policy requirement.

(iii) it is not visually intrusive on a skyline or in the open character of the surrounding countryside;

The area benefits from an open rural character and the extension is not considered to be out of character with the area and relates appropriately to the residential dwellings nearby, therefore it is not considered to be visually intrusive or impact on the open character of the surrounding countryside. The proposal therefore accords with this policy requirement.

(iv) it retains sufficient space around the dwelling to protect its setting, that of any associated small group of rural housing, and the amenity and character of the countryside;

Due to the location of the extension and size of the site, the extension retains appropriate distance to the northern side boundary and retains more than adequate amenity space. The proposal therefore accords with this policy requirement.

(v) would not represent over-development of the site

The site overall provides parking and amenity space significantly in excess of the local plan policy requirements. The extension is a large addition to the main dwelling, however is not considered given the size of the site, the proposal represents over-development of the plot.

(vi) would not be detrimental to highway safety;

The access arrangements to the site will remain unchanged and the property has a large frontage for parking, which will be retained to accommodate the parking and turning of in excess of two vehicles.

(vii) would not adversely affect adjoining properties or main habitable rooms in terms of privacy, amenities and aspect;

Despite the overall size and scale of the proposed extension, it is not considered that the proposal would result in any significant impact upon neighbouring amenities in any regard, due to the extensions' siting to the front and side of the property, away from the adjoining semi-detached neighbour 'The Hollies'. The only first floor side window is to the front and would not therefore overlook any private amenity areas.

Criteria (viii) and (ix) are not relevant to this application as they are concerned solely with a replacement dwelling and not an extension.

(x) would not exacerbate any existing access, drainage or other problems associated with the site.

It is not considered that there are any existing issues with regards to access or drainage on site.

Coastal Protection Belt

The site is within the Coastal Protection Belt but the proposal is for an extension to an existing residential dwelling and not a new building. The dwelling is located adjacent to existing dwellings and buildings. For these reasons and due to the acceptable scale and design of the development as set out above, there will no harmful impact on the landscape character or quality of the undeveloped coastline.

Representations

Brightlingsea Parish Council supports the application.

No other letters of representation have been submitted.

Highways and Parking

The extended dwelling retains sufficient parking to the front of the dwelling in accordance with the Council's adopted parking standards.

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

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(s): 2003/PL01 Rev A, 2003/PL02 Rev A, 2003/PL03 Rev A, 2003/PL04 Rev A, 2003/PL05 Rev A, 2003/PL06 Rev A

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:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO