

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	20/10/2021
Planning Development Manager authorisation:	TF	21/10/2021
Admin checks / despatch completed	CC	22.10.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	22/10/2021

Application: 21/01368/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr and Mrs Robinson

Address: 67 Church Road Brightlingsea Colchester

Development: Loft conversion including two new front facing dormers and rear dormer with Juliet balcony

1. Town / Parish Council

Brightlingsea Town Council
27.08.2021

Supports this application

2. Consultation Responses

Not Applicable

3. Planning History

93/00941/FUL Conservatory for use of house owners Approved 07.10.1993

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

QL11 Environmental Impacts and Compatibility of Uses (part superseded)

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

Relevant Adopted Policies

SP7 Place Shaping Principles

Relevant Emerging Policies

LP4 Housing Layout

SPL3 Sustainable Design

Status of the Local Plan

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26th January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. In this regard 'Proposed Modifications' to the emerging Section 2 of the 2013-33 Local Plan, which contains more specific policies and proposals for Tendring, has been examined and hearing sessions have now closed. The main modifications recommended to make the plan legally compliant and sound were considered at the Council's Planning Policy and Local Plan Committee on 29th June 2021. The Council held a six-week public consultation on the Main Modifications and associated documents which began on 16th July 2021. The consultation closed at 5pm on 31st August 2021 and adoption is expected later this year. Section 2 will then join Section 1 as part of the development plan, superseding in full the 2007 Local Plan. Section 2 of the 2013-33 Local Plan is therefore at a very advanced stage of preparation and should be afforded considerable weight.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is 67 Church Road, Brightlingsea, 20 Upper Third Avenue, a single storey dwelling located within the settlement boundary of Brightlingsea.

Proposal

This application seeks planning permission for a loft conversion including two new front facing dormers and rear dormer with Juliet balcony.

Assessment

The main considerations for this application are the design and appearance as well as the impact upon neighbouring amenities

Design and Appearance

Adopted Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context. Emerging Policies SPL3 and LP4 of Section 2 of the 2013-33 Local Plan also require, amongst other things, that developments deliver new dwellings that are designed to high standards and which, together with a well-considered site layout, create a unique sense of place - avoiding the use of ubiquitous standard house types. Paragraph 130 of the Framework requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

The loft conversion will be served by two dormer windows to the front elevation, a dormer to the rear elevation with a Juliet balcony and a high level side elevation window. The proposal also incorporates a change to the host dwellings roof from hip to gable. The proposal will be constructed from cladding with the use of plain tiles and UPVC windows and doors to match the host dwelling.

Although the two front dormer windows will be visible from the street scene, the proposal is considered to be of a size and scale which is in keeping with the host dwelling. The change from hip to gable roof is considered to be acceptable along the street scene. There are a mixture of different house types and styles along Church Road and it is considered that the introduction of the two dormers to the front elevation will not cause any significant impact upon the street scene.

The proposed side elevation window will be serving the staircase to access the first floor, which is being created within the loft conversion. This window will be high level and principally for light purposes only.

To the rear of the host dwelling is a central dormer which is served by a Juliet balcony. The proposal will not be visible from Church Road due to its location to the rear of the host dwelling. Although the proposal is fairly large, due to its central location in the roof plane it is considered acceptable in terms of visual amenity.

Impact upon neighbouring amenities

The proposed works will be visible to both neighbouring dwellings to the north and south.

Views towards to the frontages of the neighbouring dwellings of Church Road will be possible from the two dormers to the front elevation. However, a good distance is retained between these dwellings and views will only be toward to the front gardens and therefore not considered significantly harmful to residential amenities.

The roof change from hip to gable will be visible to both neighbours, however due to the distance to the neighbouring dwellings and that there are no side elevation windows proposed, other than a high level window which will not cause any overlooking, it is considered that the change in roof form is acceptable in regards to residential amenities.

The proposed rear dormer with the Juliet balcony will only have views towards the rear of the neighbouring gardens and not to the neighbours' immediate private amenity spaces. It is, therefore considered that the proposed dormer will not cause any significant harm to the neighbouring amenities.

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 plans-

- Drawing No. P01

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