

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ER	15/10/2021
Planning Development Manager authorisation:	SCE	20.10.2021
Admin checks / despatch completed	DB	20.10.2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	20.10.2021

Application: 21/01521/FULHH **Town / Parish:** Brightlingsea Town Council

Applicant: Kate Deyn

Address: 27 Maltings Road Brightlingsea Colchester

Development: Proposed demolition of existing rear extension and part of garage. Construction of rear single storey extension, loft conversion, internal alterations and part cladding exterior. With new pitched roof and rear extension to existing garage.

1. Town / Parish Council

Brightlingsea Town
Council
27.09.2021

Supports application

2. Consultation Responses

Not applicable

3. Planning History

21/01521/FULHH	Proposed demolition of existing rear extension and part of garage. Construction of rear single storey extension, loft conversion, internal alterations and part cladding exterior. With new pitched roof and rear extension to existing garage.	Current
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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Adopted Tendring District Local Plan 2007 (part superseded)
QL11 Environmental Impacts and Compatibility of Uses (part superseded)
TR1A Development Affecting Highways
TR7 Vehicle Parking at New Development
HG9 Private Amenity Space

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

Relevant Section 1 Policies (adopted)
SP7 Place Shaping Principles

Relevant Section 2 Policies (emerging)
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)

Application Site

The application site comprises of a semi detached bungalow with adjacent driveway. There is an existing garage which is visible from Maltings Road however this is set rearward on the existing house beyond the driveway. The house itself is set back from its front boundary and is constructed from brick with a tile hung roof. Sited to the rear is an existing extension with fencing along each of the shared boundaries.

Proposal

This application seeks planning permission for;

- Part cladding exterior.
- Construction of rear single storey extension
- Loft conversion, including rear former window and front velux windows along with internal alterations
- New pitched roof and rear extension to existing garage.

The proposal will result in the demolition of the existing rear extension.

Representations

Brightlingsea Town Council Support the application.

Two letters of representation have been received in relation to this application raising concerns over the level of privacy which is lost.

Their comments have been addressed in the below report.

Assessment

The local area comprises of predominantly semi detached bungalows which are set back on their plots and are fairly uniform in terms of design and character. Whilst predominantly bungalow in character it is noted that there are a sporadic amount of two storey dwellings within the vicinity. Whilst many of the dwellings are brick in construction there are a few which have been either boarded or rendered in previous years. It is also noted that many of the bungalows in particular also have erected dormer windows to the rear parts of these can be seen through the open spaces between plots from Maltings Road.

Cladding of exterior property

The proposal incorporates the change of materials from brick to grey boarding which will be a publicly noticeable change within Maltings Road. However as other surrounding properties vary in materials and colour it is considered the use of grey cladding in this instance would match others within the area and would therefore be appropriate in terms of the appearance and character of the locale.

Due to its minor nature this element of the proposal would not result in a loss of residential amenities to neighbouring sites.

Single Storey Rear Extension

The proposal will be sited to the rear however due to the open space between the existing house and its neighbour it is likely some views of the new extension will be achieved from Maltings Road. As the house is set back on its plot and due to the minor scale of the proposal any views of the new extension are likely to be minor and not appear prominently in regards to the main house. This element of the proposal will be of a size and scale which is inkeeping with the host dwelling and will also be finished in grey boarding allowing it to appear consistently with the change of the existing dwellings exterior assessed above.

The extension will be sited sufficient distance away from the north and western boundaries preventing a reduction in residential amenities to these neighbours.

The extension will be most noticeable to the property to the south west known as 25 Maltings Road which has an existing extension to the rear. This element is of a single storey design and 3m in height which will be largely screened by the existing fence. The proposal will have a flat roof design and a space of 0.4m will be retained between it and the boundary preventing it from resulting in a significant loss of residential amenities to this neighbour.

Saved Policy HG9 states that where a house comprise of 3 or more bedrooms that 100m² private amenity space should be retained. The existing site currently measures 74m² and upon completion this will reduce to 57m². Whilst there will be a deficit the existing site currently does not support the appropriate level of private amenity space as stated in HG9 and the space left will still be retained as a usable area. The loss of such in this instance is considered not a significant reason to refuse planning permission upon.

New pitched roof and rear extension to existing garage.

The alterations to the garage will be publicly visible from Maltings Road and will extend upon the existing structure. Due to its set back from the front boundary it is likely that these alterations/enlargements would not appear prominently or harmfully within the streetscene. The change from a flat roof to pitched is considered to appear more visually appeasing within the streetscene. The use of grey cladding will also be applied to this part of the proposal allowing all elements to appear consistently.

The Essex County Council Parking Standards states that where a house comprises of two or more bedrooms that 2no off street parking spaces should be provided which measure 5.5m by 2.9m per space. They also state that garages should have an internal measurement of 3m by 7m.

The existing garage does not meet these requirements and the proposal will not change this. Whilst the garage will not meet the above requirements there is sufficient space to the front of the site for the off street parking for two vehicles in line with the above standards. The proposal will therefore not contravene highway safety .

The proposed garage will be sited sufficient distance away from the adjoining neighbour and would not result in a loss of residential amenities.

The neighbouring dwelling known as 29 Maltings Road and 1 Romney Close have windows which currently face onto the existing hose sites garage obscuring the light and outlook received from these. Whilst the proposal will have an impact on these further it is considered given their current positioning that the loss of light and outlook resulting from the development would be unreasonable grounds to refuse planning permission upon.

The proposed enlargement will result in a loss of light and outlook from 29 Maltings Road existing conservatory. The sunlight/ daylight calculations specified within the Essex Design Guide have been applied and whilst the 45 degree line in plan would encompass the rear of this neighbours rear elevation when using the proposed elevation drawing the 45 degree line would only intercept the lower section of the adjacent conservatory. Given this result as well as the fact that this dwellings rearward facing openings already look onto the existing fencing and garage the loss of light and outlook resulting from this element would not be so significant to refuse planning permission upon.

Loft conversion, including rear former window and front velux windows along the front elevation.
The introduction of rooflights along the front will be a publicly noticeable change however as a result of their minor nature are not likely to result in a harmful impact to the overall appearance of the existing house or its locale.

The proposed dormer will be sited to the rear with some elements being visible from the streetscene. These elements are likely to be minimal due to the dwellings existing set back and will not be detrimental to the appearance of the streetscene.

The proposed dormer windows is of a size and design which is appropriate to the existing house and will match others within the area. The use of grey boarding will allow it to appear consistently with other aspects of this application.

The introduction of rooflights to the front will not adversely affect neighbouring sites. The proposed dormer will be positioned within the roofslope and will therefore not result in a loss of outlook or light because of this.

The proposal will incorporate openings at first floor which will result in overlooking to neighbouring sites. Upon initial receipt of the application one of these openings included a Juliet balcony which has since been removed on concerns that it would result in a significant loss of privacy to neighbouring sites. This has been replaced with a smaller opening on amended plans which have been received.

Whilst the proposal will still result in a loss of privacy to neighbouring dwellings it is considered that as other surrounding dwellings already have dormer windows which achieve views into neighbouring gardens that any loss of privacy in this instance would not be so significant to refuse planning permission upon.

Conclusion

The proposal will result in a noticeable change to the overall character and appearance of the existing house with some impact to the neighbouring dwellings. However as detailed within the report above due to similar development within the area it is considered that the proposal comprises of appropriate additions and alterations which confirm to national and local policy and the application is therefore 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:

06D

05A

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 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.