

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	29/07/22
Planning Development Manager authorisation:	JJ	29/07/2022
Admin checks / despatch completed	SH	01.08.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	01.08.2022

Application: 22/00992/VOC **Town / Parish:** Thorrington Parish Council

Applicant: Mr Stuart Grant

Address: Acacia House Brightlingsea Road Thorrington

Development: Variation of condition 2 (Approved Plans) of application 21/01609/FUL to substitute approved plans to introduce a veranda.

1. Town / Parish Council

Thorrington Parish Council No comments received

2. Consultation Responses

N/A

3. Planning History

10/01458/FUL	Two storey extension to rear to form living diner with 3no. bedrooms over.	Refused	14.02.2011
11/01110/FUL	Two storey extension to rear to form living diner with bedroom over (resubmission of refusal ref. no. 10/01458/FUL, dated 14 Feb 2011).	Approved	15.11.2011
12/01024/FUL	Erection of garage to store applicant's caravan and commercial vehicle together with general storage, as amplified by agents email dated 07 Oct 2012.	Approved	05.11.2012
21/01609/FUL	Proposed conversion of existing garage/store to 3 No self contained holiday homes.	Approved	24.01.2022

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 Sustainable Design

PPL2 Coastal Protection Belt

Status of the Local Plan

Planning law requires that decisions on 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 (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal

Site Description

The application site is land on the eastern side of London Road to the immediate south of Stone Hall Drive, within the parish of Little Clacton. The surrounding area is largely dominated with residential properties, particularly to the north and west. To the east is a large area of agricultural land.

The site falls within the Settlement Development Boundary for Little Clacton within the Adopted Local Plan.

The application site comprises a substantial plot of 0.43 hectares and is located outside of the settlement boundary of Thorrington, adjacent to, and with access from, the main highway route into Brightlingsea, Brightlingsea Road.

The application site is land to the rear of a property known as 'Acacia House', which is located to the western side of Brightlingsea Road within the parish of Thorrington. Acacia House is a detached dwelling, which forms part of a ribbon development facing towards Brightlingsea Road. To the southern side of the dwellinghouse is an access drive that leads from the highway to the rear of the site, where there is a substantial outbuilding, constructed following the grant of planning application 12/01024/FUL. The rear of the site backs on to open countryside.

The site is located outside of a recognised Settlement Development Boundary within the Adopted Local Plan, and is within the Coastal Protection Belt area of the 'Coastal Area at Brightlingsea Reach and St Osyth Marsh'.

Planning History

Under planning application 21/01609/FUL, planning permission was granted for the conversion and use of an existing outbuilding as a building for three holiday lets. The outbuilding in question is that approved under planning permission 12/01024/FUL.

Description of Proposal

This planning application seeks permission for a variation of Condition 2 of planning permission 21/01609/FUL, which relates to the approved plans. The alterations to the previously approved design solely see the inclusion of a veranda to the southern elevation.

Assessment

1. Principle of Development

The principle of the development of three holiday lets on this site has previously been established within planning permission 21/01609/FUL. The determination therefore falls to the detailed considerations discussed below.

2. Visual Impacts

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.

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. Policy SPL3 of Section 2 of the 2013-33 Local Plan also requires, amongst other things, that the development respects or enhances local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features.

The proposal submitted will only see the inclusion of a veranda to the southern elevation. The site is well set back from the main street scene along Brightlingsea Road, and as such the alterations will not be publicly visible. In terms of the impact to the building itself, it is considered the veranda represents a minor visual enhancement to that previously approved.

3. Impact to Neighbouring Amenities

The NPPF, at paragraph 130 states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Adopted Policy SP7 of the Adopted Local Plan requires that all new development protects the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.

The site is well set back from the neighbouring properties along this section of Brightlingsea Road. Given this, and that the veranda is to the south-facing elevation, it will not be visible to any neighbouring properties, and there will therefore be a neutral impact to existing amenities.

Other Considerations

Thorrington Parish Council have not provided comments.

There have been no other letters of representation received.

Conclusion

The proposed development is a minor variation to the scheme previously approved under 21/01609/FUL, and will not result in any significant visual impacts, or any additional impacts to neighbouring amenities. Therefore the application is recommended for approval.

6. Recommendation

Approval.

7. Conditions

- 1 The development hereby permitted shall be begun before 24th January 2025.

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 and document:

21/01609/FUL:

Drawing Number 976/RAN/20

22/00992/VOC:

Drawing Numbers 976/RAN/21 B and 976/RAN/22 B.

Reason - For the avoidance of doubt and in the interest of proper planning.

- 3 The development hereby permitted shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of all occupiers of the holiday let accommodation and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

Reason - The site of the permission is outside any area where planning permission would normally be forthcoming for residential development and is permitted only as accommodation for holiday purposes in the interests of contributing to tourism and the economy of the area.

- 4 No person shall occupy the site for more than 28 consecutive days and shall not be permitted to return to the site within less than 14 days of vacating the site.

Reason - To prevent the use of the site for permanent accommodation in the interests of the tourism economy and local community infrastructure.

- 5 Prior to first occupation of the proposed holiday homes the fence post to the right of the existing vehicular access should be moved back a minimum distance of 0.2 metres from the back of verge and the last fence panel shall not exceed 1 metre in height. There should be no obstruction above ground level within a 2.4 m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the road access is first used by the development and retained free of any obstruction at all times.

Reason- To provide adequate inter-visibility between users of the access and the public highway in the interests of highway safety.

- 6 Prior to the occupation of the holiday homes, the private drive shall be retained at a minimum width of 5.5 metres for at least the first 6 metres from the back of the Highway Boundary and provided with an appropriate dropped kerb crossing of the footway.

Reason- To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety.

- 7 The proposed holiday homes shall not be occupied until such time as the car parking and turning area has been provided in principle with drawing no. 976/RAN/22 B. These facilities shall be retained in this form at all times and shall not be used for any purpose other than the parking and turning of vehicles related to the use of the development thereafter.

Reason- To ensure that on-street parking of vehicles in the adjoining streets does not occur, and to ensure that vehicles can enter and leave the highway in a forward gear, in the interests of highway safety.

- 8 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason- To avoid displacement of loose material onto the highway in the interests of highway safety.

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.