

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	14/09/2022
Planning Development Manager authorisation:	AN	13/9/22
Admin checks / despatch completed	ER	14.09.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	14.09.2022

Application: 22/00675/FUL **Town / Parish:** Mistley Parish Council

Applicant: Mr G Williamson - Redvine Properties Ltd

Address: Topsl House High Street Mistley

Development: Proposed installation of dormer window.

1. Town / Parish Council

Mistley Parish Council Not commented on this application

2. Consultation Responses

Essex County Council The application is for proposed installation of conservation rooflights
Heritage to existing roof. This follows my previous advise issued on 8th June
01.09.2022 2022 and submission of revised design by the applicant.

The proposal site is within the Manningtree and Mistley Conservation Area and within the setting of a number of designated heritage assets.

The proposed dormer to match the existing in material and design is a more sympathetic addition and is a form of fenestration which is widely used within the Conservation Area. Therefore, the proposal is considered to preserve the character and appearance of the Conservation Area, as required in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Chapter 16 of the NPPF

There is no objection to this application.

3. Planning History

94/00764/FUL (4 Grape Vine, Mistley Quay, Approved 16.09.1994
Mistley) Alterations to existing
offices

21/00040/FUL Proposed external changes to Approved 29.09.2021
fenestration including; the change
of a window to a door to the front
elevation, a change of a window to
a door to the Quay elevation, a
change from a door to a window to
the side elevation and erection of a
safety hand rail.

21/00046/FUL Proposed balcony and window to a Approved 19.01.2022

door to the Quay elevation

22/00672/COUNO T	Proposed conversion of existing office building into one single dwelling house including alterations to fenestration and addition of associated balcony.	Current
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4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP7 Place Shaping Principles

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

SPL3 Sustainable Design

PPL8 Conservation Areas

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 (including Site Description and Proposal)

Site Description

The application site relates to Topsl House, which is a two storey building located within the settlement boundary of Manningtree and located within the Conservation Area. The building is located to the end of the row of buildings with views over the Quay.

Proposal

This application seeks planning permission for the installation of a dormer window. This application originally proposed roof lights however these are a non-traditional type of fenestration and were not considered acceptable. The plans have been amended to propose a dormer window.

Principle of Development

The site is located within the Development Boundary therefore there is no 'in principle' objection to the proposal, subject to the detailed considerations discussed below.

Design and Appearance (including Heritage Assessment)

Paragraph 202 of the National Planning Policy Framework (NPPF) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Paragraph

206 of the National Planning Policy Framework confirms that local planning authorities should look for opportunities for new development within Conservation Areas...and within the setting of heritage assets, to enhance or better reveal their significance.

Policy PPL8 of the Tendring District Local Plan 2013-2033 states that development within a Conservation Area must preserve or enhance the special character or appearance of the Conservation Area.

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. 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.

This application originally proposed roof lights however these are a non-traditional type of fenestration and were not considered acceptable. The plans have been amended to propose a dormer window. The dormer window will be located to the south westerly side elevation and is considered to be an in keeping addition to the existing dwelling.

As the application site is located within the Conservation Area, Place Services Historic Environment Team have been consulted on this application and have stated that the dormer will match the existing in material and design is a more sympathetic addition and is a form of fenestration which is widely used within the Conservation Area. Therefore, the proposal is considered to preserve the character and appearance of the Conservation Area, as required in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Chapter 16 of the NPPF. The team therefore have no objections.

Impact upon 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 Tendring District Local Plan 2013-2033 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.

As the dormer is located to the south westerly side elevation, the proposal will not be visible to the neighbouring dwelling to the north west, Grape Vine Cottage. There are no neighbouring dwellings to the south west and as a result the proposed dormer is not considered to cause any adverse impact upon neighbouring amenities.

Other considerations

Mistley Parish Council have not commented on 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. AT-1160-004 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:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO