

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | ER | 22/09/2022 |
| Planning Development Manager authorisation: | SCE | 28.09.2022 |
| Admin checks / despatch completed | CC | 28.09.2022 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | ER | 28/09/2022 |

Application: 22/01220/FULHH **Town / Parish:** Mistley Parish Council

Applicant: Mr and Mrs Darton

Address: 4 Nelson Villas The Park Mistley

Development: Proposed single storey rear extension and alterations.

1. Town / Parish Council

Mistley Parish Council
04.08.2022

At its Planning Committee Meeting on the 4 August 2022, Mistley Parish Council recommended approval.

2. Consultation Responses

Essex County Council
Heritage
05.09.2022

The application is for proposed single storey rear extension and alterations.

The proposal site is within the Manningtree and Mistley Conservation Area and is part of a group of Victorian Terrace finished in coloured render or in red brick, which positively contribute to the character and appearance of the Conservation Area and to the street scene. The first group of houses still retains some surviving original details, including doorcases. Nelson Villas were likely built in the 1920s.

The proposed rear extension is not considered to affect the character and appearance of the Conservation Area and is therefore generally acceptable, subject to the submission of details of proposed doors and rooflights. However, the use of high-quality design and materials would be required, therefore I advise the proposed felt roof is replaced with a high quality and more sympathetic roof materials. The proposed sliding doors and rooflights should preferably be metal or timber frame.

I will not support the removal of the existing chimney breasts at ground and first floor as this would involve the loss of historic fabric. However, it is noted that the chimney stack, which positively contributes to the street scene, will be retained. I advise that, prior commencement, a method statement and structural details are submitted, illustrating how the structural stability of the chimney stack would be ensured during construction and on completion.

If alterations are made to the proposals, then there would be no objection to this application.

Were permission to be granted, I request the following conditions are included:

- Prior to commencement of above ground works/installation, a

schedule of all external finish materials to match the existing, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved materials and details specified and shall be permanently maintained as such;

- Prior to commencement of any work, a method statement and structural details explaining how the existing chimney stack will be protected by any damage due to ongoing building works, shall be submitted and approved in writing by the Local Planning Authority;
- Prior to installation, a schedule of drawings that show details of all proposed doors and rooflights, in section and elevation at scales between 1:20 and 1:1 as appropriate, showing details of glazing type, framing, glazing bars, and cills, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such;
- Rainwater goods shall be black painted or powder-coated metal and shall be permanently maintained as such.

3. Planning History

| | | |
|----------------|--|---------|
| 22/01220/FULHH | Proposed single storey rear extension and alterations. | Current |
|----------------|--|---------|

4. Relevant Policies / Government Guidance

National:

National Planning Policy Framework July 2021 (NPPF)
National Planning Practice Guidance (NPPG)

Local:

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

Supplementary Planning Documents
Essex Design Guide

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)

Application Site

The site comprises of a two storey dwelling which is located within the development boundary and conservation area. The site has an existing rear garden with outbuilding to the rear and fencing along shared boundaries.

Proposal

This application seeks planning permission for the erection of a single storey rear extension and alterations.

Assessment

Design and Appearance

The proposal will be sited to the rear and predominantly screened from public view by the host dwelling. In the event that views are achieved through the small space between the host dwelling and neighbour these will be minimal and not detrimental to the appearance and character of the dwelling or locale.

The proposal is of a suitable size and scale in relation to the existing house and will be finished in materials similar and appropriate to those already on the host dwelling.

The site currently benefits from approximately 111m² in private amenity space which will reduce to 86m² following completion of the proposal. Whilst there will be a loss of part of the rear garden the area retained is still of a sufficient and usable size for the occupants.

Heritage Impact

The site is located within a Conservation area and it is a statutory requirement of the LPA that proposals either enhance or preserve this protected area. The site has not been awarded special mention within the conservation area appraisal for the site.

The proposal will be to the rear with no impact upon the existing streetscene due to screening by way of the host dwelling.

The ECC Heritage initially raised concerns over the materials of the roof and since then the agent has changed these to GRP fiberglass in grey which is comparable to a lead roof and is more in keeping within the conservation area. As the proposal will be to the rear and not visible from the streetscene the use of these materials would not adversely affect the appearance and character of the conservation area.

The ECC Heritage team has raised concerns over the loss of the chimney breast this is an internal alteration which would not require planning permission. However, given that the site lies within a Conservation Area the external chimney stack is an important feature and therefore to ensure it is retained a condition is imposed requiring a method statement and structural details explaining how the existing chimney stack will be protected by any damage due to ongoing building works.

They have also requested that conditions requesting further information on the proposed materials, rainwater goods, and windows are imposed upon the permission. It is considered that these would not be relevant to the application as the plans provided suitably show that these aspects will be similar in appearance to the host dwelling and further information will therefore not be needed.

The proposal is therefore considered a suitable addition to the main house which would not result in a significantly harmful impact to the overall appearance and character of the conservation area.

Impact on Neighbours

The neighbour to the north west 3 Nelson Villas is a terraced dwelling similar in terms of design. This neighbour's nearest opening is a door and there is a fence sited along the boundary. The proposal will result in a loss of light and outlook to this neighbour's rear door however given its flat roof design which will be predominantly be screened by the boundary fencing any loss of light or outlook resulting from the new extension is considered not so significant to refuse permission upon in this instance.

The proposal will be visible to the neighbour to 2 Park Cottages to the south east of the site and will result in a reduction in light to this neighbour. The Essex Design Guide calculations have been applied to the proposal to determine the amount of light which will be lost. The 45 degree line in plan will encompass this neighbour's rear elevation where as in plan it would intercept the boundary

fence. The proposal will therefore pass the calculations and would not result in such a significant loss of light which would need to refusal of this application.

The extension will be sited at least 0.8m from the shared boundary and have a flat roof design allowing for it to be predominantly screened by existing boundary fencing. Whilst there will be a loss of outlook to this neighbour given its current views to the existing fencing this would not be so significant to refuse permission upon in this instance.

The proposal does not include any sideward facing openings and will therefore not result in a loss of privacy to neighbouring sites.

The proposal will be a suitable distance from the rear boundary and largely screened by the boundary fencing.

Other Considerations

At its Planning Committee Meeting on the 4 August 2022, Mistley Parish Council recommended approval.

No letters of representation have been received.

Conclusion

In the absence of material harm resulting from the proposed development 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:

Drawing No 22/06/0021 Rev E

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

3. Prior to removal of the existing chimney breast and any above ground works, a method statement and structural details explaining how the existing chimney stack will be protected by any damage due to ongoing building works, shall be submitted and approved in writing by the Local Planning Authority.

Reason – The site is located within a conservation area with the current chimney forming a strong part of the existing dwellings character.

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.